



WEB COPY



W.P.No.33048 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.33048 of 2023

A.Narasimhan

...Petitioner

Vs

1. The District Collector,
Collectorate,
Ranipet District,
Ranipet.

2. The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

3. The Tahsildar,
Arakkonam Taluk,
Arakkonam.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus, directing the second respondent/Revenue Divisional Officer, Arakkonam, Ranipet District to conduct enquiry and dispose the appeal dated 04.08.2022 preferred by the petitioner.



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For petitioner : M/s. R.Vigneshwari
for Mr.M.Guruprasad
For respondents : Mr.Yogesh Jannadasan
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the second respondent/Revenue Divisional Officer to dispose of the appeal dated 04.08.2022 preferred by the petitioner.

2. It is submitted by the learned counsel for the petitioner that the petitioner joined the Indian Army on 28.11.1974, attaining the age of superannuation on 30.04.2004, after completion of 30 years of service. The Revenue Divisional Officer, earmarked five acres of land in favour of the petitioner which is situated in Mudur Village, Arakonam Taluk, and handed over the same to the petitioner. Since then the petitioner has been in possession of the said land. The Revenue Divisional Officer informed him that patta would be granted 1 or 2 years prior to his retirement or



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immediately after his retirement. Hence, he submitted a representation to the Chief Engineer, Kolkata Zone, Kolkatta, *vide* letter No.87146/215/164/E10(G) dated 11.06.2001, and marked a copy of the same to the Minister for Revenue and also to the Revenue Divisional Officer and the District Collector. But, there was no response.

3. It is further submitted by the learned counsel for the petitioner that the petitioner is in possession of the said land since 1978 and some miscreants tried to disturb his possession of the said land, thereby, the petitioner filed a W.P.No.12 of 2022 before this Court and by an order dated 06.01.2020 the said writ petition was dismissed on the ground that the petitioner had submitted representations to the Chief Minister and not to the Revenue Divisional Officer.

4. The learned counsel for the petitioner further submitted that the petitioner filed a representation to the third respondent on 08.03.2022 and also sent reminders on 15.05.2022 and 20.06.2022. The third respondent has rejected the petitioner's representation dated 15.07.2022 on the ground



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that the said land was classified as "Eri Ulvai". The petitioner obtained information under the RTI Act and found that the said land is classified as "Punjai Manaveri" lands. Aggrieved by the rejection of the representation by the third respondent, he preferred an appeal on 04.08.2022, the said appeal is still pending before the second respondent and hence the present writ petition.

5. The learned counsel for the petitioner further submitted that subsequent to filing of the appeal, the petitioner had also sent reminders on 07.11.2022 , 03.06.2023 and 19.07.2023 but the second respondent neither numbered the appeal nor disposed of his representation.

6. Learned Special Government Pleader appearing for the respondents would submit that the the petitioner is not clear as to whether the appeal made by him is admitted by the second respondent and thereby the relief sought by the petitioner cannot be granted.

7. In view of the submissions made by both sides, this writ petition is



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disposed of directing the second respondent to consider the petitioner's appeal stated to have been filed on 04.08.2022 and number it, if not done so, and dispose it of by following the due process known to law as quickly as possible not later than ten weeks from the date of uploading of this order.

No costs.

23.11.2023

vca

Internet:Yes

Index:Yes/No

To

1. The District Collector,
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