



WEB COPY



WP.No.11717 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11717 of 2024

Stanley Peter

.. Petitioner

Versus

1.The Government of Tamil Nadu
Rep by its Secretary to Government
Revenue Department
Fort St.George, Chennai – 600 009

2.The Commissioner of Land Reforms
Member Secretary Bhoodan Road
Chepauk, Chennai – 600 005

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose of the appeal dated 01.12.2023 challenging the order dated 31.10.2023 bearing SE.MU.NO.K2/5813/16 passed by the Second Respondent in respect of the assignment of the land comprised in Survey No. 289/3, Appanayakanpatti Village, Sulur Taluk, Coimbatore District.

For Petitioner : Mr.L.Dhamodharan

For Respondents : Mr.G.Ameedius
Government Advocate



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ORDER

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2. It is the case of the petitioner is that the petitioner was in possession and enjoyment of the agricultural land admeasuring an extent of 4.52 Acres comprised in Survey No.289/3 Appanayakkanpatti Village, Sulur Taluk, Coimbatore District. The said land originally belonged to Bhoodhan Board. The petitioner purchased the property from one S.R.Arumugam by a Sale deed dated 30.11.1989 with certain conditions. Thereafter the petitioner realized that assignee has no right to alienate the property as per Bhoodhan Board. Hence, he surrendered the said land to the Government for assignment of land in his favour. The assignment application was rejected by the Director of Land Reforms. Aggrieved by this order, petitioner preferred an Appeal before the Commissioner of Land Reforms and the same was rejected on 31.10.2023. Challenging the same, the petitioner has preferred an appeal before the first respondent on 01.12.2023, which is pending without consideration till date.



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Hence, this writ petition.

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3. Heard both sides and perused the materials available on record.

4. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

5. Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case directs the first respondent to dispose of the appeal filed by the petitioner on 01.12.2023 and pass appropriate orders on merits and in accordance with law, after giving notice to any other interested persons. Such exercise shall be completed within a period of two months from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

30.04.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To

1.The Secretary to Government
The Government of Tamil Nadu
Revenue Department
Fort St.George, Chennai – 600 009

2.The Commissioner of Land Reforms
Member Secretary Bhoodan Road
Chepauk, Chennai – 600 005

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