



WA No.2823 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

WA No.2823 of 2023

V.Sozhan : Appellant

versus

- 1.The District Collector,
Villupuram District
- 2.The Revenue Divisional Officer
Villupuram District
- 3.The Tashildhar
Villupuram.
- 4.The Village Administrative Officer
Poonthottam Village Villupuram.
- 5.V. Pandiyan

: Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge in WP No.15552 of 2023 dated 02.08.2023

For the Appellant : Mr.N.Suresh

For Respondents 1 to 4 : Mr.P.Harish,
Government Advocate



WA No.2823 of 2023

JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Mr.N.Suresh, learned counsel for the appellant and Mr.P.Harish, learned Government Advocate, for respondents 1 to 4.

2. The appellant/original writ petitioner had filed a writ petition challenging the proceedings initiated by the respondent authorities.

3. Learned Single Judge has observed that order has already been passed by the competent authority and the appellant/original writ petitioner is at liberty to prefer an appeal before the District Revenue Officer along with documents, if any. It was further directed that the District Revenue Officer shall conduct an enquiry by affording an opportunity to all the parties and pass orders on merits and in accordance with law.

4. Learned Government Advocate submits that final order has been passed by the Revenue Divisional Officer and in the said final order, only bifurcation of patta has been ordered and there is no direction to take physical possession.



WA No.2823 of 2023

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5. As it is not disputed that the appellant has a remedy of appeal before the District Revenue Officer and the learned Single Judge has already granted such liberty to the appellant, we dispose of the writ appeal with liberty to the appellant to avail the remedy of appeal as may be permissible in law. In that event, contentions of all the parties are kept open.

6. The writ appeal stands disposed of. There shall be no order as to costs. Consequently, CMP No.23514 of 2023 is closed.

(S.V.G., CJ.) (J.S.N.P., J.)
23.04.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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THE HON'BLE CHIEF JUSTICE

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