



W.A.No.2501 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

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S.Richard

.. Appellant

Versus

1. The Principal Secretary / Commissioner of Land Reforms,
Chepauk, Chennai - 600 005.
2. The District Revenue Officer (Land Reforms),
V.O.C. Nagar, Chenglepattu - 603 001.
3. The Revenue Divisional Officer (Land Reforms),
Office at Tambaram,
Chennai - 600 126.
4. Dr.V.Padmini

.. Respondents

Prayer : Writ Appeal under Clause 15 of the Letters Patent to set aside the order, dated 30.08.2023 passed in W.P.No.24138 of 2023 which is against the rule of law and consequently allow the writ petition.



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For Appellant : Mr.M.L.Ganesh

For Respondents : Mr.Abishek Murthy,
Government Advocate
for RR-1 to 3

: Mr.T.Mohan, Senior Counsel,
for Mrs.Reshmi Christy, for R4

JUDGMENT

(Judgment made by the Hon'ble Chief Justice)

Heard Mr.M.L.Ganesh, learned Counsel for the appellant;
Mr.Abishek Murthy, learned Government Advocate for the respondent
Nos.1 to 3 and Mr.T.Mohan, learned Senior Counsel appearing on behalf of
Mrs.Reshmi Christy, learned Counsel for the fourth respondent.

2. Learned Counsel for the appellant submits that the appellant has
filed the Writ Petition only to the extent of seeking a direction to decide his
Revision, dated 30.11.2022 pending before the first respondent. However,
the learned Single Judge dismissed the Writ Petition by giving a direction to
the respondents to initiate immediate action to resume the Government
property and utilise the same for public purposes. The matter was only filed
for a limited purpose. The Revision is pending consideration with the first
respondent.



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3. The learned Senior Counsel for the fourth respondent submits that in fact, the fourth respondent has also filed a Revision before the first respondent and he also seeks a direction to decide his Revision with the first respondent and he further submits that along with the Revision of the appellant, the Revision of the fourth respondent also be decided.

4. It appears that the merits of the matter were not subject matter of consideration. The Revision is already pending before the parties. In the light of that, we pass the following order :-

(i) The impugned order passed by the learned Single Judge, dated 30.08.2023 is set aside;

(ii) The Revision filed by the appellant as well as the fourth respondent be decided by the first respondent on its own merits and in accordance with law after adhering to the principles of natural justice expeditiously preferably within a period of six months from the date of appearance of the appellant and the fourth respondent in the respective Revisions;



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(iii) The appellant and the fourth respondent shall appear in the respective Revisions on 05.04.2024.

5. This Writ Appeal is accordingly disposed of. There shall be no order as to costs. Consequently, C.M.P.No.20845 of 2023 is closed.

(S.V.G., C.J.)

(D.B.C., J.)

20.02.2024

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

To

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**THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.**

grs

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