



WEB COPY



WP No.38465 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.01.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP No.38465 of 2024

Muthu Aru.Vedhapadasalai Private Trust,
Rep. By its Trustee
AR Arunachalam,
S/o.Arunachalam
Door No.165/42, Car Street,
Thiruvannamalai Town,
Thiruvannamalai

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruvannamalai.
2. The Tahsildar,
Kil Pennathur Taluk,
Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District.
4. Kuppusamy



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5. Munusamy

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the 1st respondent herein to dispose of the petitioner's Appeal dated 11.09.2024 sent for cancelling the assignment made to the respondents 4 and 5 herein in respect of Old SF No.61/20B, New S.F.No.178/6 situate at Konalur Village, Thiruvannamalai Taluk and District in accordance with law and within a stipulated period.

For Petitioner	: Mr.K.Govi Ganesan
For Respondent	: Mr.A.Selvendran Special Government Pleader to R1 to R3

ORDER

Aggrieved by the fact that the appeal filed by the petitioner on 11.09.2024 to cancel the assignment made in respect of lands in Old SF No.61/20B, New SF No.178/6 situated at Konalur Village, Thiruvannamalai Taluk and District.

2. Heard Mr.K.Govi Ganesan, learned counsel for the petitioner



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and Mr.A.Selvendran, learned Special Government Pleader for sole respondent.

3. The case of the petitioner is that the property in Old SF No.61/20B was subsequently sub divided into New SF No.178/6 situated at Konalur Village, Kilpennathur Taluk, Thiruvannamalai District belongs to the Petitioner Trust. The revenue records also stands in the name of the trustees and the said property were in absolute possession and enjoyment of the Trust. Though the petitioner Trust has not made any alienations, the respondents 4 and 5 herein have been continuously disturbing the peaceful possession and enjoyment of the above said trust by obtaining assignment in their names. In this regard, the petitioner Trust had sent numerous representations to respondents 1 and 2 to cancel the patta and also preferred an appeal before the 1st respondent on 11.09.2024, enclosing all the documents. Since the appeal has been kept pending by the 1st respondent without any enquiry from September 2024, the petitioner Trust has filed this writ petition before this Court seeking for a mandamus.



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4. Heard Mr.K.Govi Ganesan, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader to respondents 1 to 3.

4. Considering the fact that the 1st respondent, who is the statutory authority named under the Act to hear the appeal has failed to discharge his duties, a Mandamus is issued to the 1st respondent to dispose of the appeal within a period of two months from the date of receipt of the copy of this order.

5. This Writ petition is allowed accordingly. No costs.

02.01.2025

rka
Index :Yes/No
Internet:Yes
Speaking Order/Non-speaking Order



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rka

To

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruvannamalai.
2. The Tahsildar,
Kil Pennathur Taluk,
Thiruvannamalai.
3. The Tahsildar,
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