

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.40203 of 2015

1. Mrs.Philomena
2. Mr.J.Thomas Alexander
3. J.Felix Arun ... Petitioners

Vs.

1. The District Collector,
Vellore District,
Vellore,
2. The Revenue Divisional Officer,
Vellore District,
Vellore - 9,
3. The Tahsildar,
Kadpadi Taluk,
Vellore District,
Vellore.
4. Mr.F.James ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to pass orders on the appeal dated 31.7.2015 against the Order dated 30.06.2015 passed by the 2nd respondent.

For Petitioners : Mr.G.Justin
For Respondents : Mr.V.Subbiah, Spl.Govt.Pleader

ORDER

As against the order passed by the 2nd respondent dated 30.6.2015, the petitioners filed an appeal to the 1st respondent on 31.7.2015. Curiously, the appeal papers were forwarded to the 3rd respondent by the 2nd respondent by proceedings dated 24.8.2015 to send report on enquiry to the 1st respondent.

2. Be that as it may, the appeal made by the petitioners is pending consideration with the 1st respondent. Therefore, the 1st respondent the 1st respondent has to pass orders. However, the 2nd respondent, having passed the order dated 30.6.2015, shall not deal with the appeal in any manner

except by forwarding the report of the 3rd respondent on enquiry. The 3rd respondent is directed to send report to the 1st respondent through the 2nd respondent within a period of eight weeks from the date of receipt of a copy of this order after due enquiry. Thereafter, the 1st respondent has to pass appropriate orders after affording an opportunity to the parties concerned within a further period of six weeks.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Vellore District,
Vellore,
2. The Revenue Divisional Officer,
Vellore District,
Vellore - 9,
3. The Tahsildar,
Kadpadi Taluk,
Vellore District,
Vellore.

+1cc to M/s.G. Justin, Advocate, S.R.No.68767

+1cc to the Government Pleader, S.R.No.69174

UG(CO)
EU(05/01/2016)

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