

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9435 of 2015  
and M.P.No.1 of 2015

Gunasekaran

... Petitioner

Vs.

1.The Additional Chief Secretary to  
Government/Special Commissioner,  
Land Administration Department,  
Government of Tamil Nadu,  
Office of the Special Commissioner for  
Land Administration,  
Ezhilagam, Chepauk,  
Chennai-600 005

2.The District Revenue Officer,  
Erode District

3.The Revenue Divisional Officer,  
Erode Revenue Division,  
Erode District

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first respondent herein to take up the unnumbered Appeal No.Nil/2014 on the file of the first respondent, filed on 19.12.2014, against the order dated 24.11.2014 passed by the 2nd respondent in Pa.Mu.25858/2014/Vu1 and number and dispose of the same in accordance with law.

For Petitioner : Mr.C.E.Pratap

For Respondents: Mr.R.Vijayakumar,A.G.P.

ORDER

Heard Mr.C.E.Pratap, the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner preferred an appeal before the first respondent on 19.12.2014, enclosing a copy of the original order dated 24.11.2014, passed by the second respondent, which is the impugned order in the said appeal. The appeal has been filed well within the period of limitation, as could be seen from the date seal affixed in the office of the first respondent dated 19.12.2014. The grievance of the petitioner is that till date the appeal has not been entertained; it has not been numbered and no proceedings have been initiated.

3. From the materials placed before this Court, it is prima facie clear that the appeal is in order and it has been presented well within the period of limitation of 30 days, since it has been presented on 19.12.2014. Further, even assuming that there is any discrepancy, the first respondent could have issued a memo to the petitioner to rectify the same and entertained the appeal. However, there is no justification for keeping the appeal without even numbering the same for nearly four months.

4. In the result, the writ petition is disposed of by directing the first respondent to entertain the petitioner's appeal, number the same and issue notice to the petitioner and private respondents therein, namely, respondents 5 to 8 and hear the parties in person and dispose of the appeal as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

msk

To

1.The Additional Chief Secretary to  
Government/Special Commissioner,  
Land Administration Department,  
Government of Tamil Nadu,  
Office of the Special Commissioner for  
Land Administration,  
Ezhilagam, Chepauk,  
Chennai-600 005

2.The District Revenue Officer,  
Erode District

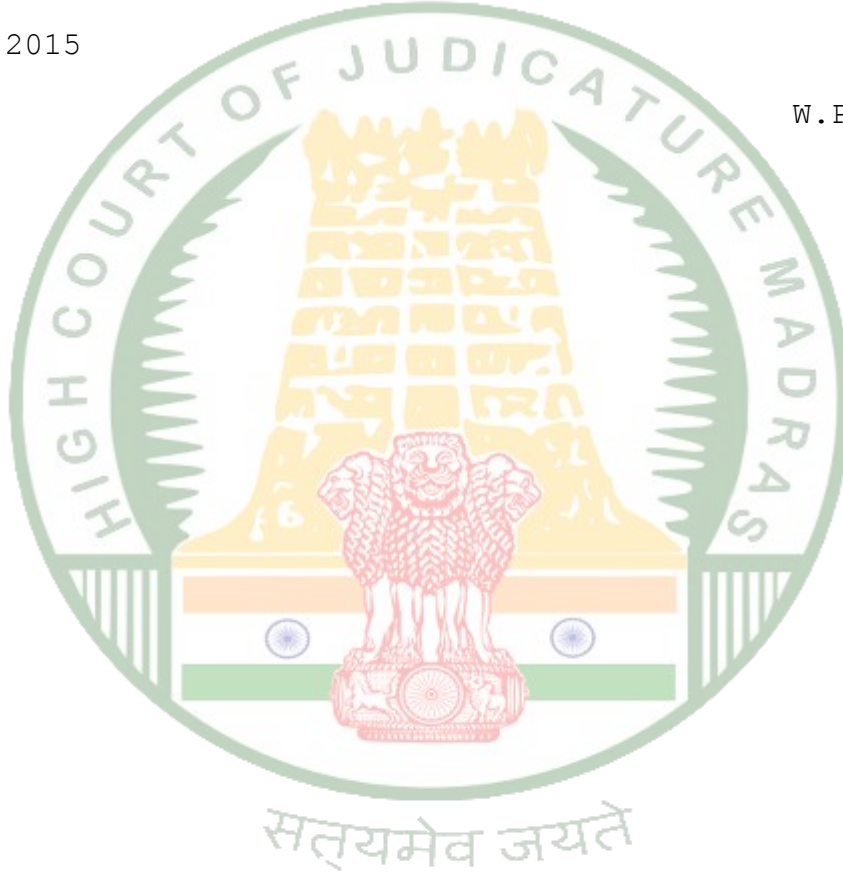
3.The Revenue Divisional Officer,  
Erode Revenue Division,  
Erode District

+ 1 cc to Mr.C.E.Pratap, Advocate SR.17913

+ 1 cc Government Pleader Sr.18352

RSY(CO)  
EU 15.04.2015

W.P.No.9435 of 2015



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