

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.11.2016

CORAM

THE HONOURABLE MR. JUSTICE. M.S.RAMESH

W.P.No.32189 of 2013 &

M.P.No.1 of 2013

Sri Venkatesa Mills Ltd.,
Rep. by its Managing Director,
Sri G.Rajalakshmi
Udumalpet,
Tiruppur District. ... Petitioner

Vs

1.The Revenue Divisional Officer,
Udumalpet,
Tiruppur.

2.The Commissioner of Municipality,
Udumalpet,
Tiruppur District. ... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass final orders on the appeal proceedings No.Na.Ka.1038/2012/A, dated 24.06.2013, after affording opportunity to the petitioner in accordance with law within a stipulated time as that may be fixed by this Court.

For Petitioner : M/s.N.Umapathi
For Respondents : Mrs.M.E.Raniselvam,
Addl. Government Pleader for R1
Mr.A.S.Thambuswamy for R2

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O R D E R

This writ petition has been filed seeking issuance of a writ of Mandamus directing the 1st respondent to pass final orders on the appeal proceedings No.Na.Ka.1038/2012/A, dated 24.06.2013, after affording opportunity to the petitioner in accordance with law.

2. Heard M/s.N.Umapathi, learned counsel appearing for the petitioner and Mrs.M.E.Raniselvam, learned Additional Government Pleader for R1 and Mr.A.S.Thambuswamy. learned

counsel for R2.

3. The petitioner claims to be the owner of the land in Survey No.21/A old TS No.1Part, Ward Number G, Block number 5, New Town Survey Number 1, 2 ward number G, Block Number4-5, T.S.No.21/B, Old TS No.25 part, Ward No.5, New Town Survey Number 48, 49, 50, 51 ward N.G, Block No.5, New TS No.48, 49,50, 51 Ward No.g, G Block, by virtue of sale deed dated 25.03.1946. Since the ownership of the lands was transferred to the name of Udumalpet Municipality, the petitioner has filed an appeal before the first respondent on 21.07.2011. Though the first respondent received the appeal, he has not passed any orders till date. Hence, the present writ petition.

4. In view of the limited prayer sought for in the writ petition and without going into the merits of the case, there shall be a direction to the first respondent to consider the petitioner's appeal dated 21.07.2011, after issuing notice to the second respondent and after affording opportunity of hearing to both the parties and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Udumalpet,
Tiruppur.

2.The Commissioner of Municipality,
Udumalpet,
Tiruppur District.

+1cc to Mr.A.S. Thambuswamy, Advocate, S.R.No.64879
+1cc to the Government Pleader, S.R.No.64917

raj(CO)
md(08/12/2016)

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