

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.5638 of 2016
& WMP.No.4990 of 2016

A.K.Thulasiraman

.. Petitioner

-VS-

1. The District Collector,
Vellore District,
Vellore.

2.The Sub Collector (RDO)
Thirupathur,
Vellore District.

3.The Thasildar,
Ambur Taluk, Ambur,
Vellore District.

4.The Commissioner & Director
of Geology & Mining,
Guindy, Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the third respondent dated 31.10.2015 in Na.Ka.B1.9385/2015 and quash the same.

For Petitioner : Mr.S.Gopinathan

For Respondents : Mr.T.N.Rajagopalan
Spl. Govt. Pleader

ORDER

The petitioner has filed the above writ petition to issue a writ of Certiorari to call for the records of the third respondent dated 31.10.2015 in Na.Ka.B1.9385/2015 and quash the same.

2. Learned counsel for the petitioner submitted that as against the order passed by the first respondent/District Collector, the petitioner has filed an appeal before the fourth respondent in the year 2010 and the same has not yet been disposed of by the fourth respondent. Learned counsel for the petitioner further submitted that the fourth respondent may be directed to dispose of the appeal within a stipulated time.

3.Mr.T.N.Rajagopalan, learned Special Government Pleader appearing for the respondent submitted that the fourth respondent may be directed to dispose of the appeal. However, it is further submitted that the petitioner has filed an application seeking interim stay before the fourth respondent and the same is pending consideration.

4.Learned counsel for the petitioner further submitted that the third respondent has initiated proceedings under the Revenue Recovery Act and therefore, till the disposal of the appeal, the proceedings of the third respondent may be kept in abeyance.

5. Having regard to the submissions made by the learned counsel on either side, I am of the view that the fourth respondent may be directed to dispose of the appeal filed by the petitioner within a stipulated time and the petitioner can be given liberty to prosecute the stay petition filed by the petitioner. Accordingly, the fourth respondent is directed to dispose of the appeal filed by the petitioner on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner, within four weeks from the date of copy of this order. The fourth respondent is also directed to dispose of the stay petition filed by the petitioner, within a period of ten days from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The District Collector, Vellore District, Vellore.

2.The Sub Collector (RDO), Thirupathur, Vellore District.

3.The Thasildar, Ambur Taluk, Ambur, Vellore District.

4.The Commissioner & Director of Geology & Mining,
Guindy, Chennai.

+ 1 cc to Mr.S. Gopinathan, Advocate Sr.11153

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