

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WRIT PETITION NOS.33922 & 33923 OF 2017 &
WMP.NOS.37625 & 37626 OF 2017

R.P.Desamani

...Petitioner in
WP.33922/2017

R.P.Duraiswamy

...Petitioner in
WP.33923/2017

Vs

1. The District Collector,
Collectorate, Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
3. The Tahsildar, Office of the
Revenue Tahsildar, Kumarapalayam,
Kumarapalayam Taluk, Namakkal
District.

...Respondents in
both WPs

Prayer: Writ Petitions filed under Article 226 of The Constitution of India praying for the issuance of Writs of Mandamus directing the second respondent to dispose of the petitions for stay filed by the petitioners in un-numbered appeal Nos.---- of 2017 against the orders dated 30.10.2017 made in Na.Ka. No.5392/2017(A2) of the third respondent.

For Petitioners : Mr.S.V.Jayaraman, SC for
Mr.R.Agilesh
For Respondents : Mr.T.M.Pappiah, SGP

COMMON ORDER

(Order of the Court was made by M.S.RAMESH,J)

Mr.T.M.Pappiah, learned Special Government Pleader accepts notice for the respondents. Heard both. By consent, the writ petitions are taken up for joint disposal.

2. By the orders dated 30.10.2017, the petitioners were directed by the third respondent to remove the coconut trees in the Government poramboke lands in S.F.No. 337.

3. According to the petitioners, the subject matter is on appeal before the second respondent wherein they had filed petitions for stay of the orders dated 30.10.2017, which are stated to be pending.

4. However, a limited prayer is sought in these writ petitions for expeditious disposal of the stay petitions.

5. In the light of the fact that the orders dated 30.10.2017 are pending on appeal, it would be appropriate for this Court to direct the second respondent to expedite the hearing of the stay petitions.

6. Hence, in view of the submission made, without going into the merits of the case, the writ petitions are disposed of with a direction to the second respondent to expedite the hearing of the stay petitions in unnumbered appeals filed by the petitioners against the orders dated 30.10.2017 and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Since the orders dated 30.10.2017 are under challenge, it would be appropriate that the same are kept in abeyance till the disposal of the stay petitions by the second respondent. Accordingly, the orders dated 30.10.2017 are directed to be kept in abeyance till the disposal of the stay petitions pending appeals before the second respondent. No costs. Consequently, the connected WMPs are closed.

s/d-

Assistant Registrar(V.O)

True Copy

Sub-Assistant Registrar

To

1.The District Collector, Collectorate, Namakkal.

2.The Revenue Divisional Officer, Tiruchengode,
Namakkal District.

3.The Tahsildar, Office of the Revenue Tahsildar,
Kumarapalayam,
Kumarapalayam Taluk, Namakkal District.

+1 CC to Mr.T. Dhanasekaran, advocate sr 92592.
+1 CC to The Spl. Govt. Pleader sr 92658.

WP.Nos.33922 & 33923/2017&
WMP.Nos.37625 & 37626/2017

MR(CO)
SP(02/01/2018)



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