



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.7246 of 2013

WEB COPY

Holy Immanule Lutheran Church,
Lalgudi Pastorate, rep. by (TELC),
F.Jeevanandam, Secretary,
Pastorate Committee TELC,
Siruthaiyur, Lalgudi,
Trichy District.

.. Petitioner

Vs.

- 1.The Collector,
Office of the Collectorate,
Trichy District, Trichy.
- 2.The Revenue Divisional Officer,
RDO Office, Lalgudi,
Trichy District.
- 3.The Tahsildhar,
Lalgudi, Trichy District.

4.A.Dharmaraj

.. Respondents

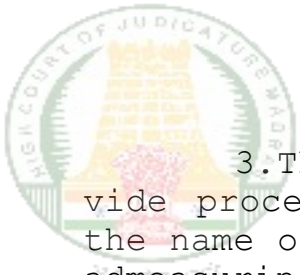
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to dispose the appeal in Na.Ka.A3-5171-2008 pending before the second respondent within a time frame in the interest of justice.

For Petitioner	: Mr.S.N.Amarnath
For Respondents 1 to 3	: Mr.M.Alagathevan, Special Government Pleader.
For 4 th Respondent	: No appearance

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second respondent to dispose of the appeal, in Na.Ka.A3-5171-2008, filed by the petitioner, within a stipulated period as fixed by this Court.

2.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 to 3. Despite notice being served on the fourth respondent and his name being printed in the cause list, there is no response or appearance on behalf of the fourth respondent either in person or through Counsel.



3.The case of the petitioner is that the third respondent, vide proceedings, dated 07.07.2006, ordered to transfer patta in the name of Kremmer Santa Green Foundation in respect of the lands admeasuring 0.15.0 Ares and 04373 square metre comprised in Survey Nos.106/9 and 106/3B respectively, Siruthaiyur Village, Lalgudi. According to the petitioner, since the said properties belong to the petitioner church, the petitioner filed an appeal against the said order, before the second respondent and the same is pending for a long time. Therefore, the petitioner is before this Court.

4.The learned counsel for the petitioner would submit that it would be suffice, if the appeal filed by the petitioner, is directed to be disposed of by the second respondent as per law.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to dispose of the appeal in Na.Ka.A3-5171-2008, if not disposed of earlier, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, including the fourth respondent, within a period of eight weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Collector,
Office of the Collectorate,
Trichy District, Trichy.
- 2.The Revenue Divisional Officer,
RDO Office Lalgudi,
Trichy District.
- 3.The Tahsildhar,
Lalgudi, Trichy District.

+1cc to Special Government Pleader, SR.No. 89601

ORDER MADE IN
W.P (MD) No.7246 of 2013
24.11.2017