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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

**W.P (MD) No.8553 of 2013**

**and**

**M.P (MD) No.1 of 2013**

P.Jeyaraj

.. Petitioner

Vs.

1.The Revenue Divisional Officer,  
Lalgudi Office at Paramasivapuram,  
Lalgudi.

2.The Thasildar,  
Taluk Office, Manachanallur,  
Tiruchirappalli District.

3.Manachanallur Panchayat Union  
rep. by its Commissioner,  
Manachanallur, Trichy District.

4.Irungalur Panchayat,  
rep. by its President,  
Irungalur,  
Manachanallur Taluk,  
Trichy District.

5.Baby

6.Manjula

7.Senthilnathan

.. 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 first respondent to dispose of the appeal pending on its file in proceedings No.Na.Ka/A3/1873/2008 within a time frame stipulated by this Court and to direct the first respondent to forbearing the respondents 3, 4, 6 and 7 from altering the topography of the land comprised in S.F.No.220/8 and 248/3 situate at Irungalur Village, Manachanallur Taluk, Trichy District either by laying road or in any other manner whatsoever pending disposal of the petitioner's appeal.

For Petitioner

: Mr.Sribalaji

For Respondents 1 to 3

: Mr.T.S.Mohammed Mohideen,  
Additional Government Pleader.



For Respondent No.4

: Mr.M.Rajarajan

For Respondents 5 to 7

: Mr.S.K.Mani

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**ORDER**

This writ petition is filed seeking a writ of Mandamus to direct the the first respondent to dispose of the appeal pending on his file in proceedings No.Na.Ka/A3/1873/2008 within a stipulated period as fixed by this Court and also direct the first respondent to forbear the respondents 3, 4, 6 and 7 from altering the topography of the land comprised in S.F.No.220/8 and 248/3 situate at Irungalur Village, Manachanallur Taluk, Trichy District, pending disposal of the appeal.

2.Heard both sides.

3.The case of the petitioner is that the lands in S.F.No.220/8 and 248/3 situate at Irungalur Village, Manachanallur Taluk, Trichy District have been classified as tharisu poromboke and since the second respondent granted assignment in respect of the said lands in favour of the respondents 5 and 6 respectively, he filed an appeal, dated 16.04.2008, before the first respondent and during pendency of the same, the respondents 3, 4, 6 and 7 tried to alter the topography of the said lands. Therefore, the petitioner is before this Court with the aforesaid prayer.

4.The learned counsel for the petitioner would submit that it would be suffice, if the appeal filed by the petitioner, dated 16.04.2008, is directed to be disposed of by the first 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 first respondent to dispose of the appeal filed by the petitioner, dated 16.04.2008, 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 any of the interested parties, including the respondents 3 and 5 to 7, within a period of six weeks from the date of receipt of a copy of this order. It is also directed that status-quo to be maintained till the disposal of the said appeal.

6.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/



To

1. The Revenue Divisional Officer,  
Lalgudi Office at Paramasivapuram,  
Lalgudi.

2. The Thasildar,  
Taluk Office, Manachanallur,  
Tiruchirappalli District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 90697  
+1cc to M/s. J.MARIA ROSELINE Advocate in SR. No. 90332

SMN

JS/JC/SAR.1/21.12.2017/3P-5C

**ORDER MADE IN**  
**W.P (MD) No. 8553 of 2013**  
**and**  
**M.P (MD) No. 1 of 2013**  
**30.11.2017**