

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.21649 of 2018

1.Mohan  
2.Periyasamy  
3.Lakshmanan

..Petitioners

Vs

1.The District Collector,  
Villupuram.

2.The Revenue Divisional Officer,  
Villupuram.

3.The Tahsildar,  
Vannur.

4.The Village Administrative Officer,  
Karasanur, Vannur.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the second respondent to dispose of the appeal presented on 23.10.2017, within a stipulated time as fixed by this Court.

For Petitioners : Mr.V.Raghavachari

For Respondents : Mr.E.Balamurugan

Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners have come up with the present writ petition, for a mandamus, directing the second respondent to dispose of the appeal presented on 23.10.2017, within a stipulated time.

3. The case of the petitioners is that they are the absolute owners of the property in Survey No.136/4, situated at R.S.No.117/5, Karasanur Village, Vannur Taluk, measuring to an extent of 0.11 cents, which is an ancestral property. The

further case of the petitioners is that in the year 2010, the respondents changed the nature of property as "pathai" in the revenue records. Hence, the petitioners filed a petition in W.P.No.5088 of 2011, wherein this Court by an order dated 14.03.2011, directed the third respondent to consider the representation of the petitioner. It is further stated that on 30.10.2017, the third respondent had rejected the representation of the petitioner. Challenging the order of the third respondent, the petitioners have preferred an appeal before the second respondent on 23.10.2017. However, the second respondent has not considered the same. Hence, the present writ petition.

4. Considering the limited nature of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the second respondent to dispose of the appeal filed by the petitioners dated 23.10.2017 on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners as well as other necessary parties, as expeditiously as possible preferably, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,  
Villupuram.

2.The Revenue Divisional Officer,  
Villupuram.

3.The Tahsildar,  
Vannur.

4.The Village Administrative Officer,  
Karasanur, Vannur.

+1 CC to Mr.V. Raghavachari, Advocate sr 58302.

+1 CC to The Govt. Pleader sr 58832.

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PPA(CO)

SP(17/09/2018)