

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.1195 of 2018

P.Karuppaiya

... Petitioner

vs.

1. The Revenue Divisional Officer,
Virudhachalam Revenue Division,
Cuddalore District.

2. Kasinathan

..Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to hold an enquiry on the appeal dated 16.06.2016 presented by the deceased father of the petitioner and pass orders thereon in accordance with law, after hearing the respective parties within a time frame as may be fixed by this Court.

For Petitioner : Mr.R.Veeramani

For Respondent : Mr.D.Suriyanarayanan,
Additional Government Pleader for R1

O R D E R

Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the first respondent. Since the writ petition is being disposed of without affecting the interest of the 2nd respondent in any manner, notice to the 2nd respondent is dispensed with.

2. The petitioner seeks for a direction to the first respondent to dispose of the appeal filed by the his father on 16.06.2016 (who died later) on merits and in accordance with law.

3. It is stated that the said appeal was filed before the first respondent arising out of the order passed by the concerned Tahsildar in a patta proceedings. The grievance of the petitioner is that the said appeal is still pending before the first respondent even though the same was presented by the petitioner's father as early as on 16.06.2016.

4. Therefore, this Writ Petition is disposed of without expressing any view on the merits of the claim made by the

petitioner, only with a direction to the first respondent to consider the appeal and pass orders on the same on merits and in accordance with law after giving due opportunity of hearing to the second respondent and other interested persons, if any, if the appeal is still pending. The whole exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Virudhachalam Revenue Division,
Cuddalore District.

+1cc to Mr.R.Veeramani, Advocate sr.No.4335

+1cc to Government Pleader SR.No.5456

sm:2.2.2018

W.P.No.1195 of 2018



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