

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.17183 of 2018 and

W.M.P.No.20452 of 2018

1.S.Thenmozhi
2.R.Udhayakumar
3.D.Yamuna
4.J.K.Vijayasekar
5.P.Sankar Petitioners

Vs

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk,
Chennai-5.
2.The District Collector,
Vellore. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to dispose of the appeal of the petitioners dated 13.04.2016 in the light of the proceedings of the second respondent dated 01.09.2016, 27.02.2017, 05.05.2017 vide N.K.No.9828/2013.

For Petitioners : Mr.S.Vijayakumar
For Respondents : Mr.G.B.Rajesh,
Government Advocate

O R D E R

Heard Mr.S.Vijayakumar, learned counsel for the petitioners. Mr.G.B.Rajesh, learned Government Advocate takes notice for the respondents.

2. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioners have filed the above writ petition to issue a Writ of Mandamus, to direct the first respondent to dispose of the appeal of the petitioners dated 13.04.2016 in the light of the proceedings of the second respondent dated 01.09.2016, 27.02.2017, 05.05.2017 vide N.K.No.9828/2013.

4. In regard to the grievances of the petitioners, they appeared to have jointly submitted an appeal to the first respondent on 13.04.2016. It appears that the second respondent has also recommended the claim of the petitioners to the first respondent vide proceedings dated 01.09.2016, 27.02.2017 and 05.05.2017.

5. In spite of the recommendations of the second respondent, in favour of the claim of the petitioners, the first respondent has not passed any orders in the appeal submitted by the petitioners on 13.04.2016. In these circumstances, the petitioners are before this Court, seeking to issue a Writ of Mandamus.

6. Since the prayer sought for in the writ petition is limited in its scope, this Court is of the considered view that the Mandamus can be straight away issued as prayed for by the petitioners. In this connection, there shall be a direction to the first respondent to dispose of the appeal collectively submitted by the petitioners on 13.04.2016, by taking into account, the recommendations of the second respondent and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS -V)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai-5.

2.The District Collector,
Vellore.

+ 1 cc to Mr. the Government Pleader Sr.45301
+ 1 cc to Mr. S. Vijayakumar, Advocate Sr.44814

W.P.No.17183 of 2018

SS (CO)
EU (03/08/2018)