

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29851 of 2018

Venkatesan,

... Petitioner

Vs.

1. The Revenue Divisional Officer,  
Thiruchengode,  
Namakkal District.

2. The Tahsildar,  
Thiruchengode Taluk,  
Namakkal District.

3. Chellammal,

4. Balakrishnan,

5. Selvaraj,

6. Prakash,

7. Baby,

8. Mallika

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the 1st respondent herein to dispose of the Appeal dated 01.08.2018 submitted by the Petitioner in accordance with law within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For R1 & R2 : Mr.E.Balamurugan  
Special Government Pleader

O R D E R

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

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to dispose of his Appeal dated 01.08.2018.

3.The case of the petitioner is that the petitioner has preferred an appeal dated 01.08.2018, before the first respondent, challenging the proceedings of the second respondent dated 30.04.2018, ordering transfer of patta in the name of the private respondents herein. The first respondent vide proceedings dated 20.08.2018, has directed the second respondent to take necessary action on the same and submit a report and the same is pending before the second respondent.

4. The learned counsel for the petitioner would submit that the first respondent being the appellate authority has to consider the appeal filed by the petitioner, after giving reasonable opportunity to all the parties concerned and therefore a direction may be given to the first respondent to consider and pass orders on the same, within a stipulated period.

5. Mr.E.Balamurugan, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 2 would submit that on receipt of the report from the second respondent as directed by the first respondent vide proceedings dated 20.08.2018, the first respondent shall dispose of the appeal filed by the petitioner within a stipulated period.

6.Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the appeal, directs the second respondent to furnish a report, as directed by the first respondent vide proceedings dated 20.08.2018 and on receipt of the same, the first respondent shall consider the petitioner's appeal dated 01.08.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS -VIII)

//True copy//

Sub Assistant Registrar

Pds/arr  
To

1. The Revenue Divisional Officer,  
Thiruchengode,  
Namakkal District.
2. The Tahsildar,  
Thiruchengode Taluk,  
Namakkal District.

+1cc to Mr.K.Govi Gnesan, Advocate SR.No.78144

+1cc to Government Pleader SR.No.78346

W.P.No.29851 of 2018

SR(CO)  
GMY(20/12/2018)



WEB COPY