



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.8903 of 2018
and
W.M.P.(MD) No.8301 of 2018

S.Abuthagir

... Petitioner

vs.

1.Additional Chief Secretary /
Commissioner of Revenue Administration
O/o.Land Administration Commissioner
Ezhilagam, Chennai-5

2.The District Collector
District Executive Magistrate
Tirunelveli District

3.The Superintendent of Police
Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pass an order in the matter of appeal and Arms Act and Rules filed against the order in the proceedings of the second respondent in Na.Ka.No.Pa.Mu.Ee3/23056/2014, dated 28.01.2015, within a stipulated time, after full enquiry by giving opportunity to the petitioner as contemplated under the Arms Act and Rule.

For Petitioner : Mr.F.X.Eugene

For Respondents: Mr.S.Nagarajan

Special Government Pleader

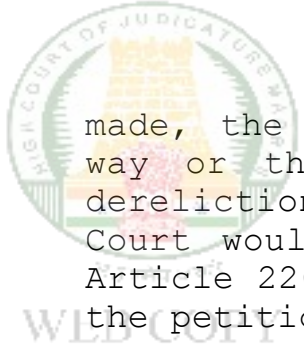
O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his representation dated 02.04.2018 seeking to dispose his appeal dated 18.02.2015, has not been disposed by the first respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the appeal preferred by the petitioner. It is needless to point out that whenever an appeal of this nature is



made, the respondents are duty bound to dispose the same in one way or the other. Non-disposal of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to dispose the petitioner's appeal within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to dispose the petitioner's appeal, dated 18.02.2015, within a period of three weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

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

Sd/
Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To:

1.Additional Chief Secretary /
Commissioner of Revenue Administration,
O/o.Land Administration Commissioner,
Ezhilagam, Chennai-5.

2.The District Collector,
District Executive Magistrate,
Tirunelveli District.

3.The Superintendent of Police,
Tirunelveli District.

+1cc to Mr.F.X.Eugene, Advocate, SR.No. 62886

W.P. (MD) No.8903 of 2018
and
W.M.P. (MD) No.8301 of 2018
23.04.2018

KRK
KK/KKR/07.05.2018/SAR-4/2P-5C