



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.10087 of 2018

WEB COPY

F.Stephen Raj

... Petitioner

vs.

1.The Revenue Divisional Officer
O/o.Revenue Divisional Officer
Thiruchendur Division
Thoothukudi District

2.The Tahsildar
Sathankulam Taluk Office
Sathankulam
Thoothukudi District

3.F.Anthony Rasaiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to dispose the appeal preferred by the petitioner dated 10.01.2018 within a stipulated time.

For Petitioner : Mr.I.Pinaygash

For Respondents 1 & 2 :Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 appeal dated 10.01.2018 with regard to cancellation of the forged Patta granted in favour of the third respondent and for issuance of Patta in his name 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 preferred, 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 10.01.2018 on its own merits, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

krk

To:

1.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Thiruchendur Division,
Thoothukudi District.

2.The Tahsildar,
Sathankulam Taluk Office,
Sathankulam,
Thoothukudi District.

+1 CC TO Mr. I.PINAYGASH , Advocate, Sr.No. 64437

JAM/25/05/2018/ RSK-SKN/GSR/ 2P-4C

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