



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15272 of 2018

M.Mani

... Petitioner

vs.

The District Revenue Officer
Dindigul District
Dindigul

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to dispose of the above appeal petition in appeal no.16769 of 2017/Aa on the file of the respondent.

For Petitioner : Mr.N.Sudhagar nagaraj
For Respondent : Mr.V.Anand
Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, takes notice for the respondent.

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 19.05.2017 preferred as against the order dated 04.05.2017 dismissing the petitioner's request for issuance of patta in his name by cancelling the patta issued in favour of some third parties, in respect of the properties comprised in 603/2A, 604/1 and 605/2A4 of Ayyalur Village, Vedasandur Taluk has not been disposed by the 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 representation made by the petitioner. It is needless to point out that whenever an appeal of this nature is made, the respondent is 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 his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to dispose the petitioner's representation within a stipulated time.



5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to dispose the petitioner's appeal dated 19.05.2017 on its own merits and in accordance with law within a period of three months from the date of receipt of a copy of this order if not already disposed of. 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.

Sd/-
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar(CS-III)

To:

The District Revenue Officer,
Dindigul District,
Dindigul.

+1cc to Mr.N.Sudhagar nagaraj, Advocate, SR.No.73203.

W.P.(MD) No.15272 of 2018
16.07.2018

AAV

RAM/SV/SAR 3/26.07.2018/2P/3C