

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****WEB COPY****W.P. (MD) No.15771 of 2018**

Thangamayil

... Petitioner

vs.

1. The Revenue Divisional Officer,
Melur division,
Y.Othakadai, Madurai District.

2. N.Sundararajan

... 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 in Ne.Mu.14222/2007/C/18.04.2009 on the file of the Revenue Divisional Officer, Melur and fixed the time limit by this Court.

For Petitioner : Mr.P.Muthusamy

For R-1 : Mr.V.Anand

Government Advocate

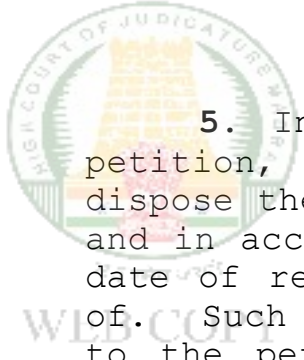
O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the first respondent. Notice to the second 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 her representation dated 04.03.2011, seeking to dispose the appeal in Ne.Mu.14222/2007/C/18.04.2009 on the file of the Revenue Divisional Officer, Melur, has not been considered by the first respondents till date and therefore, she 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 first 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 first respondent to dispose the petitioner's appeal dated 18.04.2009 on its own merits and in accordance with law within a period of two 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 second respondent and any other 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(crl side)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

The Revenue Divisional Officer,
Melur division,
Y.Othakadai, Madurai District.

+1cc to Mr.P.Muthusamy, Advocate Sr.No.73879

CP

VB/KAK/SAR2/02.08.2018/2P/3C

W.P. (MD) No.15771 of 2018
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