



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.16358 of 2018

M.Ramarpandi

... Petitioner

vs.

1. The District Revenue Officer,
Tirunelveli District.
2. The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.
3. The Tahsildhar
Veerakeralampudur Taluk
Tirunelveli District
4. Aathilingam
5. Marikannu
6. Sakthivel
7. Ganesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to dispose of the appeal proceedings No.Aa2/See/Ma/No.12/2018 filed by the petitioner within the time stipulated by this Hon'ble court.

For Petitioner : Mr.M.Sankar
For Respondents No.1 to 3 : Mr.V.Anand
Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the respondents 4 to 7 is dispensed with in view of the nature of the order 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 the appeal preferred by the respondents 4 to 7 dated 01.12.2017 as against



the order dated 27.11.2017 passed by the second respondent rejecting their grievance to delete the petitioner's 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 made 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 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 appeal as against the order dated 27.11.2017 passed by the second respondent 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 respondents 4 to 7 and to 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 (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

1. The District Revenue Officer,
Tirunelveli District.
2. The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.
3. The Tahsildhar,
Veerakeralampudur Taluk,
Tirunelveli District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 75544
+ 1 CC TO Mr.M.SANKAR, ADVOCATE IN SR No. 75136

AAV