

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10562 of 2019

Mannangatti Ammal

...Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.

2. The District Revenue Officer,
Office of District Collector Villupuram,
Villupuram.

3. The Revenue Divisional Officer,
Kallakkurichi.

4. Kalimunnisa

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 27.11.2018 and to direct the 2nd respondent speedy disposal of the Appeal No.7 of 2009 pending with them.

For Petitioner : Mr.S.Ramachandran

For Respondents: Mr.V.Prabhu

Government Advocate for R1 to 3

O R D E R

Mr.V.Prabhu, learned Government Advocate takes notice for the respondents 1 to 3. Since this writ petition is being disposed of without affecting the interest of the 4th respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the respondents to consider her representation dated 27.07.2018, wherein and whereby, he sought for speedy disposal of the appeal filed as early as in the year 2009, arising out of patta proceedings.

3. It seems that the petitioner has filed the said appeal before the 2nd respondent aggrieved against the order of the 3rd respondent.

4. Perusal of the documents filed before this Court shows that the enquiry notice was issued on 29.11.2018 and the petitioner has also filed their written argument before the 2nd respondent on 06.02.2019. Considering the fact that the appeal itself was filed as early as in the year 2009, I do not find any justification on the part of the 2nd respondent, in keeping the matter pending without giving early disposal of the appeal. At the same time, this Court is not expressing any view on the merits of the appeal filed by the petitioner, as it is for the 2nd respondent to consider and decide the same. However, such decision has to be made within a reasonable time from the date of receipt of the appeal.

5. Therefore, without expressing any view on the merits of the claim made by the petitioner in the said appeal, this writ petition is disposed of, only with a direction to the 2nd respondent to consider the appeal filed by the petitioner and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the 4th respondent and other interested parties, if any. Such exercise shall be done by the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Mk

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The District Revenue Officer,
Office of District Collector Villupuram,
Villupuram.
3. The Revenue Divisional Officer,
Kallakkurichi.

+lcc to Mr.S.Ramachandran, Advocate, S.R.No. 33771
+lcc to the Government Pleader, S.R.No. 34696

W.P.No.10562 of 2019

AD(CO)
GN(24/04/2019)