

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2019

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.14452 OF 2019

AND

W.M.P.NO.14462 OF 2019

Ponnusamy

... Petitioner

Vs

1. The Revenue Divisional Officer,
Mettur Taluk, Salem District.

2. The Tahsildar,
Mettur Taluk Office,
Mettur, Salem District.

3. Muthu

... Respondents

Prayer:

The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dispose the appeal filed by petitioner on 07.05.2019 and direct the first and second respondents to remove the black stone put by the third respondent in the common pathway situated in S.No. 520/3A2A at Kaveripuram Village, Mettur Taluk, Salem District.

For Petitioner : Mr.M.P.Rajavelayutham

For Respondents : Mr.D.Suryanarayanan
Additional Government Pleader

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ORDER

The writ petition had been filed seeking direction in the nature of Writ of Mandamus, directing the first respondent to dispose the appeal filed by petitioner on 07.05.2019 and direct the first and second respondents to remove the black stone put by the third respondent in the common pathway situated in S.No. 520/3A2A at Kaveripuram Village, Mettur Taluk, Salem District.

2.It is stated that the appeal proceedings are pending before the Revenue Divisional Officer, Mettur Taluk, Salem District. The scope of the writ petition is very limited. The petitioner had filed an appeal before first respondent on 07.05.2019. He had also sought for removal of black stones put up by the third respondent in the common pathway situated in Survey No. 520/3A2A at Kaveripuram Village, Mettur Taluk, Salem District.

3.It is the grievance of the writ petitioner that the first respondent is not taking steps to dispose of the appeal. Accordingly, direction is given to the first respondent to dispose of the appeal on or before 15.06.2019 and if the petitioner's representations are found to be genuine, the black stones put up by the third respondent in the common pathway shall be removed. This direction would be subject to the result of the appeal by the first respondent.

4.With the above observations, the writ petition itself is disposed of. No costs. Consequently, connected writ miscellaneous petition is also closed.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

dua/smv

To

1. The Revenue Divisional Officer,
Mettur Taluk, Salem District.

2. The Tahsildar,
Mettur Taluk Office,
Mettur, Salem District.

+1cc to Mr.M.P.Rajavelayutham, Advocate, S.R.No.44964

+1cc to the Government Pleader, S.R.No.44114

W.P.No.14452 of 2019

and

W.M.P.No.14462 of 2019

BR(CO)

CS/23/05/2019