



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

THE HON'BLE Mr. JUSTICE K.KALYANASUNDARAM
AND
THE HON'BLE Mrs. JUSTICE S.RAMATHILAGAM

W.P. (MD) No. 4559 of 2019

P.Mayandi

... Petitioner

Vs.

1 The Revenue Divisional Officer,
Kodaikanal Revenue Division,
Dindigul District.

2 The Tahsildar,
Kodaikanal,
Dindigul District.

3 The Block Development Officer,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to dispose the appeal preferred by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act 1905 in Na.Ka.No.1555/2018/A2 within the stipulated period.

For Petitioner : Mr.S.Loganathan

For Respondents : Mr.Ayiram K.Selva Kumar, AGP for R1 & R2
Mr.R.Murugan, AGP R3

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.)

The prayer in the Writ petition is to issue a Writ of Mandamus, directing the first respondent to dispose of the appeal preferred by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act within the stipulated time.

2.It is the grievance of the petitioner is that though the appeal was preferred before the first respondent in the month of
September 2018, so far it has not been disposed of.



3. The learned Additional Government Pleader appearing for the respondents 1 and 2 on instructions would state that the appeal is still pending before the first respondent.

4. In the light of the grievance expressed by the petitioner and the submission of the learned Additional Government Pleader appearing for the respondents 1 and 2, this Court directs the first respondent to dispose of the appeal of the petitioner dated 20.10.2018 on merits and in accordance with law after providing necessary opportunity to the parties concerned, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1 The Revenue Divisional Officer,
Kodaikanal Revenue Division,
Dindigul District.

2 The Tahsildar,
Kodaikanal,
Dindigul District.

3 The Block Development Officer,
Kodaikanal,
Dindigul District.

+1 CC to The Special Government Pleader SR-54766[F] dated 18/03/2019
+1 CC to M/s.S.LOGANATHAN, Advocate SR-55088[F] dated 19/03/2019

W.P. (MD) No. 4559 of 2019
15.03.2019

nbj

PK/05.04.2019 : 2P/6C