



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.7863 of 2019

Kadhirvel

... Petitioner

Vs

1.The District Collector,
Thiruchi District.

2.The Revenue Divisional Officer,
Collectorate,
Thiruchi.

3.The Tahsildar,
Marungapuri,
Thiruchi District.

4.M.Amsath Ibrahim

5.Mahalingam

6.Thangapandian

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to pass order on merits on the petitioner's appeal dated 25.09.2012 after giving adequate opportunity to the respective parties, within a time stipulated by this Court.

For Petitioner : Mr.M.V.Venkataseshan

For R1 to R3 : Mr.K.Mu.Muthu

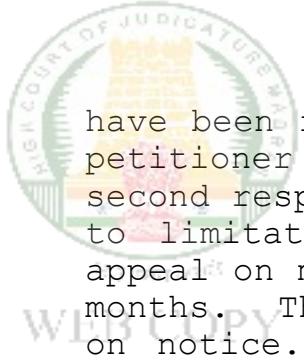
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

2. The case of the writ petitioner is that the private respondents herein have obtained patta in respect of a public pathway. Questioning the same, the petitioner filed an appeal before the Revenue Divisional Officer, Thiruchi, on 25.09.2012. A reminder was sent on 04.01.2019, but till date it has not been disposed of. Therefore, the petitioner has come to this Court seeking expeditious disposal of his appeal.

3. When the matter was taken up for hearing, the learned Government Advocate informed to the Court that the appeal said to



have been filed by the petitioner is not available. Therefore, the petitioner is permitted to file a fresh appeal petition before the second respondent and the same will be entertained without reference to limitation. The second respondent shall dispose of the said appeal on merits and in accordance with law within a period of four months. The second respondent shall put all the interested parties on notice. It is made clear that this Court has not pronounced anything on the merits of the matter.

4. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The District Collector,
Thiruchi District.

2.The Revenue Divisional Officer,
Collectorate,
Thiruchi.

3.The Tahsildar,
Marungapuri,
Thiruchi District.

+1 CC to M/s.SPL GP (SR-58909[F] dated 04/04/2019)

+1 CC to M/s.M.V.VENKATASESHAN, Advocate (SR-58970[F] dated 04/04/2019)

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RMK

KK/SAR/05.04.2019/ 2P- 6C