

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 13.08.2019****CORAM:****THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR****W.P. (MD) No.17723 of 2019**

WEB COPY

B.Duraipandi

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District

3.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District

4.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District

5.Vairamuthu

6.Ramaraj

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider and dispose of the appeal dated 10.01.2019 within a stipulated period to be fixed by this Court.

For Petitioner : Mr.M.Jothibas

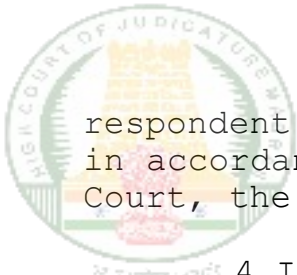
For Respondents R1 to R4 : Mr.V.Anand, G.A.

ORDER

The prayer in the Writ petition is for a Writ of Mandamus, directing the 2nd respondent to consider and dispose of the appeal dated 10.01.2019 within a time frame.

2.Heard Mr.M.Jothibas, learned counsel for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 to 4. Since no adverse order going to be passed against the respondents 5 and 6, who are the private respondents herein, notice to them is dispensed with.

3.With regard to the order passed by the Tahsildar, ie., the 4th respondent, the petitioner preferred an appeal before the 2nd respondent, who also rejected the same, by its order dated 03.12.2018. As against which, the petitioner preferred a revision before the 2nd respondent on 10.01.2019 and the said revision is still pending before the 2nd respondent and therefore, the learned counsel appearing for the petitioner submits that if the 2nd



respondent decides the said revision, dated 10.01.2019 on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4.I have heard the learned Government Advocate appearing for the respondents 1 to 4, who would submit that the said revision pending before the 2nd respondent would be decided on merits, within a time frame after giving opportunity of being heard to both the petitioner as well as the private respondents.

5.Having regard to the said submissions made by the learned counsel appearing for both sides, this Court is inclined to dispose of this Writ petition at the admission stage with the following direction:

That the 2nd respondent is hereby directed to consider the revision filed by the petitioner dated 10.01.2019 as against the order passed by the 3rd respondent dated 03.12.2018 and decide the same and pass orders on merits and in accordance with law, after giving opportunity of being heard to both the petitioner as well as the private respondents by sending them separate notices and the needful as indicated above shall be undertaken and final order shall be passed within a period of 8 weeks from the date of receipt of a copy of this order.

6.With this direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

NBJ

To

- 1.The District Collector,
Virudhunagar District, Virudhunagar.
- 2.The District Revenue Officer,
Virudhunagar District, Virudhunagar.
- 3.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District,
Virudhunagar.
- 4.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District, Virudhunagar.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-81273[F]

+1 CC to M/s.SPL GP (SR-81777[F] dated 14/08/2019)

W.P. (MD) No.17723 of 2019

13.08.2019