



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.12310 of 2018

Sindhuja

... Petitioner

-Vs-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to dispose of the appeal filed as per circular No.11/2017 dated 09.08.2017 within a stipulated period as fixed by this Court.

For Petitioner : Mr.S.Chellapandian

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 2nd respondent to dispose of the appeal filed as per circular No.11/2017 dated 09.08.2017 within a stipulated period as fixed by this Court.

2.Heard Mr.S.Chellapandian learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4.As against the discrepancy found in the legal heir certificate issued to the petitioner by the Tahsildar concerned, the petitioner preferred an appeal to the 2nd respondent i.e., the Revenue Divisional Officer on 23.04.2018 and the same is still pending before the 2nd respondent. Therefore, the learned counsel appearing for the petitioner submits, that, the said appeal be disposed of by the 2nd respondent, on merits, within a time frame.



5.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the said appeal filed by the petitioner dated 23.04.2018 would be decided, on merits, within a time frame, by the 2nd respondent.

6.Considering the limited scope of the prayer sought for herein, this writ petition is disposed of with the following direction:

"The 2nd respondent is directed to consider the appeal/representation of the petitioner dated 23.04.2018 and pass order, thereon, on merits and in accordance with law, after hearing the petitioner as well as any rival claimants and the final order shall be passed, within a period of six weeks from the date of receipt of a copy of this order."

7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

+1 CC to Mr.S.CHELLA PANDIAN, Advocate SR-74580.

Order made in
W.P. (MD) No.12310 of 2018

Dated:
10.07.2019

CS(30.08.2019) 2P 4C