

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.13380 of 2020

N. Kesavamurthy

... Petitioner

Vs.

1. The District Collector,
Erode District,
Collectorate Complex,
Perundurai Road,
Erode-11.
2. The District Revenue Officer,
Office of the D.R.O.,
Collectorate Complex,
Perundurai Road,
Erode-11.
3. Revenue Divisional Officer,
Office of the R.D.O.,
Brough Road, Erode-11
4. M. Palaniswamy

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to dispose the appeal of the petitioner herein bearing No.Nil dated 16.11.2019 pending on its file within a time frame to be fixed by this Court.

For Petitioner : Mr.Govind Chandrasekhar

For Respondents: Mr.M.Parthasarathy
Govt. Advocate

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 2nd respondent to dispose of the appeal filed by the petitioner on 16.11.2019 within the time frame fixed by this Court.

2. The case of the petitioner is that the 4th respondent who does not have any right over the subject property, obtained a patta for the property from the 3rd respondent. Aggrieved by the same, the petitioner filed an appeal before the 2nd respondent on 16.11.2019. The grievance of the petitioner is that the appeal has not been taken up for enquiry and it is pending till date.

3. Heard Mr.Govind Chandrasekar, learned counsel appearing for the petitioner and Mr.Parthasarathy, learned Govt. Advocate appearing for the respondents 1 to 3.

4. Taking into consideration the facts and the circumstances of the case and the limited relief sought for in the writ petition, there shall be a direction to the 2nd respondent to consider the appeal filed by the petitioner on 16.11.2019 in accordance with law and pass final orders within a period of six weeks from the date of receipt of a copy of this order. The 2nd respondent shall afford sufficient opportunity to the petitioner and the 4th respondent at the time of enquiry and before passing the final order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the appeal dated 16.11.2019 and a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Erode District,
Collectorate Complex,
Perundurai Road,
Erode-11.
2. The District Revenue Officer,
Office of the D.R.O.,
Collectorate Complex,
Perundurai Road,
Erode-11.

3. Revenue Divisional Officer,
Office of the R.D.O.,
Brough Road, Erode-11.

+1cc to Mr.Govind Chandrasekhar, Advocate Sr.31529

W.P.No.13380 of 2020

gmr[col]
srg 19/10/2020