



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P(MD)No.5747 of 2020

WEB COPY

A. Thalapathi Soundirarajan ... Petitioner

Vs.

1. The District Collector,  
Collectorate, Dindigul District, Dindigul.

2.The Revenue Divisional Officer, Dindigul. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to consider and pass orders of petitioner's appeal dated 19.08.2016 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr. R. Narayanan  
For respondents : Mr. P. Kannidevan  
Additional Government Pleader

### ORDER

This writ petition is filed seeking a Writ of Mandamus directing the second respondent to consider the petitioner's appeal dated 19.08.2016 and dispose of the same, within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, the Thasildar, Nilakkottai has passed an order dated 21.08.2013 for sub dividing the property of S.No.1101/5 as S.Nos. 1101 / 5A and 1101/5B. The above said order of Thasildar was partly carried out and the sub division has been made only in respect of S.No.1101/5A, but, the same was not carried out in S.No.1101/5. It is the duty of the revenue officials to implement the said order. Since they have not implemented the said order, the petitioner has filed an appeal before the second respondent viz., the Revenue Divisional Officer, Dindigul, on 19.08.2016. The second respondent has issued summons to the petitioner and the other interested parties on 02.08.2017. The



petitioner produced the relevant documents before the appellate authority and also sent remainder letter to the respondents on 23.08.2019, but, till date the appeal is not yet disposed of. Hence, he has filed the present Writ Petition before this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner appeared for enquiry, but, the other interested parties have not appeared before the authority for enquiry due to Covid -19, Pandemic Lock Down. He would further submit that the respondents will consider and pass appropriate orders in the appeal within the time stipulated by this Court.

5. In the light of the above submissions made by both parties, this Court is inclined to pass the following order:

*The second respondent / Revenue Divisional Officer, Dindigul, is directed to dispose the appeal of the petitioner dated 19.08.2016, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to all the parties concerned.*

6. The Writ Petition is disposed of with the above terms.  
No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The District Collector,  
Collectorate, Dindigul District, Dindigul.
2. The Revenue Divisional Officer, Dindigul.

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