

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.2999 of 2021
& WMP Nos.3361 & 3364 of 2021

S.Kumar

.. Petitioner

Vs.

1.The District Revenue Officer,
Office of the District Revenue Officer,
Coimbatore-641 018

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Coimbatore-641 030

3.V.Ravikumar

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent, DRO to expedite the appeal filed by the petitioner herein on 19.01.2021 within the time frame fixed by this Court and reverse the entries ante as it stood on 29.12.2020 till the termination of Civil Suit instituted by the petitioner in O.S.No.610 of 2019 on the file of the V Additional District Court, Coimbatore.

For Petitioner ..Mr.M.Aravind Subramaniam

For Respondents..Mr.S.N.Parthasarathi, GA for RR1 & 2

ORDER

The petitioner has preferred an appeal to the DRO, the first respondent herein, challenging the order of the RDO, by which, he seeks the cancellation of patta issued in favour of the 3rd respondent.

2. Mr.S.N.Parthasarathi, learned Government Advocate takes notice for respondents 1 and 2.

3.The Appeal has been preferred by the petitioner only on 19.01.2021 and this Court requires, Mr.S.N.Parthasarathi, learned Government Advocate to obtain statistics as to number of

appeals that are of the similar kind pending before the DRO, the first respondent herein.

4. The learned Government Advocate now having obtained necessary instructions, made a statement that there are at least 45 appeals which are already pending before him including the appeal preferred by the petitioner.

5. This Court understands that the petitioner is only 57 years old and relatively younger. However, this Court does not want to accord any undue preference to this appeal especially when others are waiting in the queue for similar remedy. Therefore, this Court directs the petitioner to show any special reason for obtaining preference over all the others, who are waiting for disposal in the matters and the DRO upon satisfying himself all the cause for granting preference, may accord to do so. Otherwise, this Court itself would be judging discrimination between the equal citizens.

6. The DRO, the first respondent herein is also required to have a time table, by how, he wants to dispose of all the matters that are now pending before him and also that are all to be filed in future. At any rate, he is required to dispose of the appeal of the petitioner herein within a period of nine (9) months from the date of receipt of copy of this order.

7. The Writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dn
To

1.The District Revenue Officer,
Office of the District Revenue Officer,
Coimbatore-641 018

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Coimbatore-641 030

+1 cc to M/s.Aravind Subramanian, Advocate Sr.No. 8869

+1 cc to The Government Pleader Sr.No. 8813

W.P.No.2999 of 2021

RMP (03/03/2021)