



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP.No.32105 of 2017

and

WMP.No.35252 of 2017

R.Srinivasan

...Petitioner

Vs

1. The Appellate Authority /
Special Deputy Collector,
Revenue Court,
Tirichirapalli

2. The Tenancy Record Officer,
and Tahsildar,
Coimbatore North,
Coimbatore

3. A.Shanmugam

4. Saraswathi

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus transferring AP.No.4 of 2017 on the file of the first respondent to any other appropriate Appellate Authority or Revenue Court.

For Petitioner : Mr.K.Raju

For Respondents

For R1 & 2 : Mr.P.Baladhandayutham,
Special Government Pleader

For R3 : Mr.P.Dinesh Kumar

ORDER

The petitioner filed this writ petition to transfer the appeal petition filed by the petitioner in AP.No.4 of 2017 from the file of the first respondent to any other appellate authority as against the order passed by the second respondent.

2. Heard, Mr.K.Raju, the learned counsel for the petitioner, Mr.P.Baladhandayutham, Special Government Pleader appearing for



the respondents 1 & 2, and Mr.P.Dinesh Kumar, the learned counsel for the third respondent.

3. The reasons stated by the petitioner for transfer of appeal is that the first respondent has been postponing the same for the reasons best known to him. However, the first respondent is showing interest for passing interim order as against the petitioner.

4. Now, the said Officer has been transferred and some other Presiding Officer has been posted in the place of the first respondent herein. Therefore, the transfer of appeal petition does not arise on the ground that the first respondent acted in favour of the respondents 3 & 4 herein.

5. Considering the above, the prayer sought for in this writ petition cannot be considered and the writ petition is devoid of merits and liable to be dismissed. However, the first respondent is directed to dispose of the appeal in AP.No.4 of 2017 after giving opportunity of hearing to the petitioner and the respondents 3 & 4 within a period of twelve weeks from the date of receipt of copy of this order on merits and in accordance with law, if not already disposed of.

6. With the above direction, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Appellate Authority /Special Deputy Collector,
Revenue Court, Tiruchirapalli
2. The Tenancy Record Officer, and Tahsildar,
Coimbatore North, Coimbatore

+1cc to M/s.K.Raju, Advocate, S.R.No.64698
+1cc to M/s.P.Dinesh Kumar, Advocate, S.R.No.65185
+1cc to the Government Pleader, S.R.No.65836

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RSI(CO)
RGA(20/12/2021)