



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.26438 of 2017

and

W.M.P.No.28135 of 2017

Paul Chinnappan

...Petitioner

-Vs-

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Revenue Divisional Officer,
Vridhachalam,Cuddalore District,
Cuddalore.
3. The Tahsildar,
Vridhachalam,
Cuddalore District.
4. The Revenue Inspector,
Vridhachalam,Cuddalore District.
5. Arulprakasam
6. Calistamary

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent to dispose of the appeal dated 20.04.2017 considering the decree and judgment in O.S.No.66 of 2009, District Munsif Court, Neyveli and A.S.No.10 of 2012 Sub Court, Neyveli, within a fixed time frame.

For Petitioner : No appearance

For Respondents

For R1 to R4 : Mr.M.R.Gokul Krishnan
Government Advocate

For R5 to R6 : Mr.V.Raghavachari

ORDER

The Writ Petition has been filed to direct the second respondent to dispose of the appeal dated 20.04.2017 by



considering the decree and judgment made in O.S.No.66 of 2009 on the file of the District Munsif Court, Neyveli and in A.S.No.10 of 2012 on the file of the Sub Court, Neyveli, within a fixed time frame.

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2.Heard Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents 1 to 4 and Mr.V.Raghavachari, learned Counsel appearing for the respondents 5 & 6. No one is appeared on behalf of the petitioner.

3.The learned counsel appearing for the respondents 5 & 6 would submit that the sole petitioner died and the legal heirs did not take any steps to implead themselves as party to the present petition.

4.It is seen from the records that on 21.04.2021, the learned counsel appearing for the petitioner made representation that the sole petitioner is no more and sought time to implead the legal heirs. However, even till today he did not take any steps to implead the legal heirs of the deceased petitioner.

5.Considering the limited prayer sought for in the present Writ Petition, the second respondent is directed to consider the appeal dated 20.04.2017, after issuance of notice to the legal heirs of the deceased petitioner and the respondents 5 & 6, and after giving opportunity of hearing to both the parties and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of the receipt of a copy of this Order, if not already disposed of.

6.With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Cuddalore District,
Cuddalore.



2. The Revenue Divisional Officer,
Vridhachalam,
Cuddalore District,
Cuddalore.

3. The Tahsildar,
Vridhachalam,
Cuddalore District.

4. The Revenue Inspector,
Vridhachalam,
Cuddalore District.

+1cc to M/s.V.Raghavachari, Advocate, S.R.No.57123

W.P. No.26438 of 2017
and
W.M.P.No.28135 of 2017

SJ(CO)
RGA(29/11/2021)