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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11173 OF 2022

T.Maithily

...Petitioner

Vs.

1.The District Collector,
Vazhudavoor Rd, Pettaiyanchathiram,
Petayan Chathiram,
Puducherry - 605 009.

2.B.Adhinarayanan

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to expedite the enquiry proceedings in Settlement Appeal No.7 of 2019 and 6 of 2020 pending on the file of the 1st respondent within a reasonable time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Natarajan

For Respondent R1 : Mr.J.Kumaran, AGP Pondicherry.

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the 1st respondent to expedite the enquiry proceedings in Settlement Appeal No.7 of 2019 and 6 of 2020 pending on the file of the 1st respondent.

2. Learned Additional Government Pleader takes notice on behalf of the 1st respondent. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. Since, no adverse order has been passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

4. The case of the petitioner is that, as there is property dispute in between the petitioner and the private respondent, Settlement Appeals in Settlement Appeal Nos. 6 of 2020 & 7 of 2019 have been filed by the petitioner as well as the 2nd



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respondent respectively, before the 1st respondent and till date, the proceedings are pending without further order, despite making several representation from the petitioner's end to conclude the settlement proceedings. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the 1st respondent to conclude the proceedings in Settlement Appeal Nos.7 of 2019 & 6 of 2020 as expeditiously as possible.

6. Learned Additional Government Pleader appearing on behalf of the respondents has no serious objection for said order being passed and he fairly conceded that the enquiry proceedings in Settlement Appeal Nos.7 of 2019 & 6 of 2020, filed by the 2nd respondent and the petitioner respectively, will be concluded within a period of eight weeks from the date of receipt of a copy of this order.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to conclude the proceedings in Settlement Appeal Nos. 6 of 2020 & 7 of 2019, filed by the petitioner and the 2nd respondent respectively, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner as well as the private respondent.

8. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

skt

To

The District Collector,
Vazhudavoor Rd, Pettaiyanchathiram,
Petayan Chathiram,
Puducherry - 605 009.

+1cc to Mr.S.Natarajan, Advocate Sr.No.32386

+1cc to the Government Pleader (Puducherry), Sr.No.32255

W.P.No.11173 of 2022

RSV(CO)

RVM(17/06/2022)