

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15522 of 2022

N.Munisamy

... Petitioner

Vs.

1. The District Collector,
Krishnagiri District,
Collector Office Road, 635115.
2. The District Revenue Officer,
Krishnagiri District,
Collector Office Road, 635115.
3. The Sub Collector Hosur,
Krishnagiri Distirct,
Denkanikotta Road,
Hosur, 635109

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to decide the appeal in file number 13613 of 2017 after duly giving an opportunity to parties concerned.

For Petitioner : Mr.P.Subba Reddy
For Respondents : Mr.Yogesh Kannadasan,
Speical Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to decide the Appeal in A.No.13613 of 2017 after duly giving an opportunity to parties concerned.

2. The case of the petitioner is that he was in possession and enjoyment of the properties in S.Nos.415/1 and 415/2. While so, the petitioner along with his brothers filed a suit in O.S.No.419 of 1989 for declaration and injuncion before the District Munsiff Court, Hosur and the same was decreed on

04.09.1991 in their favour. Thereafter, the petitioner filed a Writ Petition in W.P.No.33455 of 2016 as to protect his land in S.No.415/2 wherein the third respondent herein was directed to conduct a detailed enquiry and pass orders in accordance with law. Thereby, enquiry was conducted and an order was passed against the petitioner on 05.04.2017. Aggrieved over the same, the petitioner by way of an appeal challenged the said order in A.No.13613 of 2017 before the second respondent/District Revenue Officer. However, till date, no order has been passed by the second respondent. Hence, the petitioner has filed this Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the respondents to decide the Appeal in A.No.13613 of 2017 which is pending for more than five years and dispose of the same within a particular time frame fixed by this Court.

4. The learned Special Government Pleader appearing for the respondent has no objection in the said order being passed.

5. Considering the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case, directs the respondents to dispose of the Appeal filed by the petitioner within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any.

6. This writ petition is disposed of with the aforesaid directions. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

anu

To

1. The District Collector,
Krishnagiri District,
Collector Office Road, 635115.
2. The District Revenue Officer,
Krishnagiri District,
Collector Office Road, 635115.

3. The Sub Collector Hosur,
Krishnagiri Distirct,
Denkanikotta Road,
Hosur, 635109.

+1cc to the Government Pleader, S.R.No.39608

W.P.No.15522 of 2022

PMK[co]
NSK/13/07/2022