



WEB COPY



W.P.No.30418 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.30418 of 2022

N.G.Palanisamy

... Petitioner

Vs

1.The District Collector,
Collectorate
Erode – 638 011,
Erode District.

2.The Revenue Divisional Officer /
Gobichettipalayam,
Erode District.

3.The Revenue Tahsildar,
Bhavani Taluk,
Erode District.

4.P.A.Sahabudeen

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to dispose of the Appeal Petition dated 12.07.2018 filed by the petitioner against the order dated 06.06.2018 made in Na.Ka.No.5255/2015/A1 passed by the 2nd respondent.

For Petitioner : Mr.M.Adhishree

For Respondent : Mr.T.K.Saravanan
Government Advocate for R1 to R3



W.P.No.30418 of 2022

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to dispose of the Appeal Petition dated 12.07.2018 filed by the petitioner against the order dated 06.06.2018 made in Na.Ka.No.5255/2015/A1 passed by the 2nd respondent.

2. In order to dig a bore well at Survey No.359/6, Perunthalaiyur Village, Bhavani Taluk, Erode District, the petitioner made application seeking permission to the 3rd respondent/Revenue Tahsildar, who having considered the same, passed an order on 05.08.2016 permitting the petitioner to dig the bore well.

3. As against which, the 4th respondent who already objected the same had filed appeal to the 2nd respondent/Revenue Divisional Officer who having considered the same allowed the said appeal filed by the 4th respondent by order dated 06.06.2018. Aggrieved by the said order passed by the 2nd respondent/RDO, further appeal has been preferred by the petitioner before the 1st respondent/District Collector on 12.07.2018.

4. Though the said appeal was filed before the District Collector in July



W.P.No.30418 of 2022

2018 for the past more than 4 years since the appeal is not disposed of, the petitioner has moved the present writ petition seeking the aforesaid prayer.

5. Heard Mr.M.Adhishree, learned counsel appearing for the petitioner who having reiterated the aforesaid would seek indulgence of this Court.

6. Heard Mr.T.K.Saravanan, learned Government Advocate appearing for the respondents 1 to 3 who on instruction would submit that, if at all the appeal filed in 2018 is not disposed so far, the same would be considered and disposed after hearing both sides by the 1st respondent/District Collector within a time frame of atleast eight weeks.

7. Considering the said submissions made by both sides and having regard to the stand taken by the learned Government Advocate appearing for the respondents, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st respondent to decide the appeal filed by the petitioner dated 12.07.2018 against the order passed by the 2nd respondent/Revenue



W.P.No.30418 of 2022

Divisional Officer dated 06.06.2018 in Na.Ka.No.5255/2015/

WEB COPY

A1 and pass orders thereon on merits and in accordance with law after hearing both sides within a period of eight weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition is disposed of. No costs.

16.11.2022

Index : Yes / No

Speaking Order: Yes / No

Sgl



W.P.No.30418 of 2022

To

WEB COPY

1. The District Collector,
Collectorate
Erode – 638 011,
Erode District.
2. The Revenue Divisional Officer /
Gobichettipalayam,
Erode District.
3. The Revenue Tahsildar,
Bhavani Taluk,
Erode District.



WEB COPY



W.P.No.30418 of 2022

R. SURESH KUMAR, J.

Sgl

W.P.No.30418 of 2022

16.11.2022