



W.P.No.31761 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.31761 of 2022

M.Thangaraj

.. Petitioner

VS

1.The District Collector,
District Collectorate Office,
Erode District.

2.The District Revenue Officer,
Erode,
Erode District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Erode.

4.The Tahsildar,
Taluk Office,
Perundurai,
Erode District.

5.Dhanapal

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the third respondent/Revenue Divisional Officer, Erode to conduct enquiry and dispose of the appeal filed by the petitioner on 13.10.2020.

For the Petitioner : Mr.M.Guruprasad

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 4

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

M.Thangaraj, son of Muthusami Goundar @ Muthu Goundar, a resident of No.44, V.Mettupalayam, Perundurai Taluk, has filed this writ petition for issuance of a writ of mandamus to direct the third respondent to conduct an enquiry and dispose of the appeal filed by the petitioner dated 13.10.2020.

2. The writ petition is liable to be dismissed for the simple reason that the petitioner has failed to produce any revenue record showing that there is no cart track in S.Nos.1306 and 1307.

3. That apart, on a perusal of the documents, we find that the



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appeal dated 13.10.2020 was originally preferred by the petitioner before the District Revenue Officer, Erode. By letter dated 27.10.2020, the District Revenue Officer, Erode forwarded the appeal to the Revenue Divisional Officer, Erode to conduct an enquiry and pass orders. The third respondent, after conducting an enquiry, passed an order on 15.12.2020. Thus, it is clear that the appeal of the petitioner dated 13.10.2020 has already been disposed of by the third respondent. If the petitioner is aggrieved by such proceedings, it is for him to avail the remedy in accordance with law. Seeking a direction to dispose of the appeal, which has already been disposed of by the competent authority is a futile exercise.

4. Finding no merit, the writ petition is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.K.K., J.)
29.11.2022

Index : Yes/No
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To:

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