



W.P.No.8348 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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Kannammal

...Petitioner

Vs

1.The District Collector, Erode
District, Erode.

2.The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Erode District-638001.

3.The Tahsildar, Kodumudi Taluk,
Erode District-638151.

4.The Village Administrative Officer,
Konthalam ('A' Section) Village,
Kodumudi Taluk, Erode District.
638109.

5.Kuzhanthaisamy
6.Subramani

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to dispose the petitioner's appeal dated 29.04.2021.



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For Petitioner : Mr.G.Pavendhan

For Respondents 1 to 4 : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the official respondents. Since this Court is directing the second respondent to consider the petitioner's appeal after giving notice to all the parties concerned, notice to the private respondents is dispensed with.

2. The limited prayer sought for in this Writ Petition is for a direction to the second respondent herein to dispose of the appeal preferred by the petitioner dated 29.04.2021 within a stipulated time.

3. It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast on him to dispose of the same expeditiously. Non-compliance of such a responsibility would amount to dereliction of duties and this Court would



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be justified in directing the Authority to dispose of the appeal within a stipulated time, in exercise of its powers under Article 226 of the Constitution of India.

4. In the light of the above observations, there shall be a direction to the second respondent herein to dispose of the petitioner's appeal dated 29.04.2021, if not already disposed of, after giving due opportunity to the petitioner and the private respondents, as well as all the other persons who may be interested in the subject property, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands ordered. No costs.

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Index: Yes/No

Speaking order/Non-speaking order

RS/SNI



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M.S.RAMESH,J.

RS/SNI

To

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