



W.P.No.8130 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8130 of 2023

Muralikumar

...Petitioner

Vs

1.The Sub-Collector,
Hosur – 635 109,
Krishnagiri District.

2.The Tahsildar,
Hosur Taluk,
Hosur – 635 109,
Krishnagiri District.

3.Venugopal

4.Radhakrishnan

5.Renukesh

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose of the Appeal dated 24.09.2022 sent by the petitioner for cancelling the Patta bearing Nos.1114 & 1115 issued in favour of the respondents 3 to 5 herein in accordance with law and within a stipulated period.



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For Petitioner : Mr.K.Govi Ganesan
For R1 & R2 : Mr.P.Sathish
Additional Government Pleader

ORDER

Heard Mr.K.Govi Ganesan, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for the respondents 1 and 2.

2. Since this Court is directing the first respondent to consider the petitioner's Appeal Petition, after giving due notice and opportunity to the respondents 3 to 5, notice to the respondents 3 to 5 is hereby dispensed with.

3. The limited prayer sought for in this Writ Petition is for a direction to the first respondent herein to dispose of the appeal preferred by the petitioner dated 24.09.2022 within a stipulated time.

4. It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast on them to



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dispose of the appeal expeditiously. Non-compliance of such a responsibility would amount to dereliction of duties and this Court would be justified in directing the authority to dispose of the appeal within a stipulated time, in exercise of its powers under Article 226 of Constitution of India.

5. In the light of the above observations, there shall be a direction to the first respondent herein to dispose of the petitioner's appeal petition dated 24.09.2022, if not already disposed of, after giving due opportunity to the petitioner and the respondents 3 to 5, as well as all 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.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

16.03.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

1.The Sub-Collector,
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Krishnagiri District.

2.The Tahsildar,
Hosur Taluk,
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