



WEB COPY



W.P.No.8480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8480 of 2023

Mr.Ponnusamy

...Petitioner

Vs

1.The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Cheyyar, 604407.
Thiruvannamalai District.

2.The Tahsildar, Office of the
Tahsildar, Vandavasi Town &
Taluk, Thiruvannamalai District.

3.Mrs.S.Indira

4.Mr.M.Dhamoharan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to consider and pass orders on the appeal dated 10.05.2022 submitted by the petitioner under the Patta Passbook Act seeking cancellation of patta No.536 issued in the names of the respondents 3 and 4 and to issue the said patta in the name of the petitioner's father Gopal Gounder or his legal heirs for the land of an extent of 10 cents in S.No.291/3A11A, Goodalur Village, Vandavasi Taluk, Thiruvannamalai District.



W.P.No.8480 of 2023

For Petitioner : Mr.V.R.Appaswamee

For Respondents 1 & 2 : Mr.R.P.Murugan Raja,
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the official respondents. Since this Court is directing the first 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 first respondent herein to dispose of the appeal preferred by the petitioner dated 10.05.2022 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



W.P.No.8480 of 2023

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 first respondent herein to dispose of the petitioner's appeal dated 10.05.2022, 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.

17.03.2023

Index: Yes/No

Speaking order/Non-speaking order

RS/SNI



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W.P.No.8480 of 2023

M.S.RAMESH,J.

RS/SNI

To

1.The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
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Thiruvannamalai District.

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W.P.No.8480 of 2023

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