



WEB COPY



W.P.No.9995 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9995 of 2023

S.Malliga

...Petitioner

Vs

1.The District Registrar (Administration)
Salem (East), Combined Registration
Department Office Building Complex,
Kumaragiri Bypass Road,
Kamarajar Nagar Colony,
Ammappettai-636014. Salem District.

2.The Sub-Registrar, Pethanaickanpalayam
Post & Taluk, Salem District.

3.P.Gnanasekaran

...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 the appeal filed by the petitioner dated 09.03.2023.

For Petitioner : Mr.V.Elangovan

For Respondents 1 & 2 : Mr.Yogesh Kannadasan
Special Government Pleader



W.P.No.9995 of 2023

WEB COPY

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader 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 respondent 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 09.03.2023.

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



W.P.No.9995 of 2023

WEB COPY

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 09.03.2023, if not already disposed of, after giving due opportunity to the petitioner and the private respondent, 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.

30.03.2023

Index: Yes/No

Speaking order/Non-speaking order

To

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Kamarajar Nagar Colony,
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2. The Sub-Registrar, Pethanaickanpalayam
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W.P.No.9995 of 2023

M.S.RAMESH,J.

RS/SNI

W.P.No.9995 of 2023

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