



W.P.No.9895 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 30.03.2023**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

**W.P.No.9895 of 2023**

Sekar

... Petitioner

Vs.

1.The Director,  
Geology and Mining,  
Guindy,  
Chennai.

2.The District Collector,  
Tiruppur,  
Tiruppur District.

3.The Sub Collector,  
Dharapuram,  
Tiruppur District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent No.1 to dispose off the appeal dated 03.12.2020 and the petitioner representation dated 20.02.2023 within a time frame fixed by this Court.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.E.Veda Bagath Singh  
Special Government Pleader



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## **ORDER**

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to dispose of the appeal dated 03.12.2020 and the petitioner representation dated 20.02.2023 within a time frame fixed by this Court.

2. The case of the petitioner is that the third respondent has passed an order dated 04.03.2020 for the alleged illegal extraction of gravel sand from the land in S.No.554/1 situated at Nelai Village, Kangeyam Taluk, Tiruput District as against the petitioner's father. Aggrieved by the same, father of the petitioner filed an appeal before the second respondent and the same was confirmed vide order dated 03.11.2020. As against which, petitioner's father preferred second appeal before the first respondent on 03.12.2020. However, during the pendency of the said appeal, he died on 04.09.2022. Thereafter, the petitioner received a recovery notice in the name of his father from the third respondent. Hence, the petitioner made a representation dated 20.02.2023 before the first respondent intimating about the death of his father and the subject property was settled in favour of the petitioner. Since the same was not considered, the present



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writ petition is filed before this Court for appropriate directions.

3. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to dispose of the second appeal filed by the petitioner's father dated 03.12.2020 after providing opportunity to the petitioner, since his father passed away, within a time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the first respondent to dispose of the appeal filed by the father of the petitioner dated 03.12.2020 by considering the petitioner's representation dated 20.02.2023, after affording opportunity to the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order.

**M.DHANDAPANI, J.**

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6. With the above directions, this Writ Petition is disposed of. No costs.

**30.03.2023**

Index : Yes / No  
Speaking order / Non-speaking order  
Neutral Citation Case : Yes / No  
sp

To

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