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W.P.No.11383 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

W.P.No.11383 of 2023

S. Nagaraj

... Petitioner

***Vs.***

1.The District Revenue Officer,  
Collectorate,  
Udhagamandalam,  
Nilgiris District.

2.The Revenue Divisional Officer,  
Gudalur,  
Nilgiris District.

3.Mohammed Cheriappu

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent herein to dispose of the appeal dated 03.05.2013 vide proceedings in Na.Ka.U7/6909/2011 – on the file of the 1<sup>st</sup> respondent herein, within the time frame fixed by this Court.

For Petitioner : Mr.V. Rajesh

For R1 & R2 : M/s.Akhila Rajendran,  
Government Advocate



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## **ORDER**

Heard Mr.V. Rajesh, learned counsel for the petitioner and M/s.Akhila Rajendran, learned Government Advocate for the first and second respondents.

2. Since this Court is directing the first respondent to dispose the appeal filed by the petitioner's father, after giving due notice and opportunity to the third respondent, notice to the third respondent, is hereby dispensed with.

3. The father of the petitioner had filed an appeal before the first respondent on 03.05.2013, challenging the order of the second respondent dated 18.03.2013 passed in his proceedings Se.Mu.Aa.No.3193/12 A-1. During the pendency of the appeal, the petitioner's father died on 19.11.2017. Thereafter, the petitioner has given a representation dated 16.07.2021 to the first respondent, seeking to implead them as legal representatives in the appeal. Subsequently, the petitioner has given another representation on 02.10.2022 under the RTI



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Act to the first respondent, seeking to furnish the particulars of the appeal. The first respondent, vide his letter dated 03.02.2023, informed the petitioner that the appeal filed by the petitioner's father is under consideration. Since the said appeal is not disposed of till date, the present Writ Petition has been filed.

4. It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast upon them to 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 the 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 dated 03.05.2013, if not already disposed of, after giving due opportunity to the petitioner, as well as the third respondent, on its own merits and in accordance with law, within a period of three (3) months from the date of



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receipt of a copy of this order.

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

No costs.

**13.04.2023**

Speaking order/Non-speaking order

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

***Sni***



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To

- 1.The District Revenue Officer,  
Collectorate,  
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**M.S.RAMESH,J.**

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