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W.P.No.20096 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.20096 of 2023

E.Karthick

... Petitioner

Vs.

1.District Collector,
Thiruvallur District,
Collectorate, Thiruvallur 602 001.

2.District Revenue Officer,
Thiruvallur District,
Collectorate, Thiruvallur 602 001.

3.Revenue Divisional Officer,
Ponneri Division,
Railway Station Road, NGO Nagar Extension,
Ponneri 601 204.

4.Tahsildar,
Ponneri Taluk,
Railway Station Road, NGO Nagar Extension,
Ponneri 601 204.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 4th respondent to serve the speaking rejection order to the petitioner for defending the Appeal dated



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03.04.2023 and the 1st respondent to cause immediate necessary action to dispose of the petitioner's Appeal dated 03.04.2023 on merits by the 2nd respondent within a time frame that may be stipulated by this Court.

For Petitioner : Mr.D.Daniel
For R1 to R4 : Mr.C.Jayaprakash
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the 4th respondent to serve the speaking rejection order to the petitioner for defending the Appeal, dated 03.04.2023, and the 1st respondent to cause immediate necessary action to dispose of the petitioner's Appeal, dated 03.04.2023, on merits by the 2nd respondent, within a time frame that may be stipulated by this Court.

2.Learned counsel for the petitioner states that the petitioner filed an application seeking for issuance of patta. The Tahsildar rejected the application and the petitioner preferred an Appeal before the Revenue Divisional Officer, Ponneri, who in turn, rejected the Appeal through order



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dated 15.03.2023. Thereafter, the petitioner preferred an Appeal before the District Revenue Officer, Thiruvallur District, on 03.04.2023.

3.The Appeal has been preferred on 3rd April, 2023 and the period of two months expired. In such circumstances, this Court may not be in a position to fix a time limit for disposal of the Appeal, since large number of Appeals may be pending before the District Revenue Officer. This Court has repeatedly held that all the aggrieved persons are to be treated equally in the matter of disposal of Appeals in a uniform manner, so as to avoid any discrimination between the aggrieved persons. It is not as if one aggrieved person alone can approach the High Court and get a direction to dispose of his Appeal and secure an order from the competent authority. If such practices are developed, then the competent Appellate Authority will be in a position to dispose of only the Appeals wherein High Court orders are secured. It would result in an anomalous situation wherein large number of aggrieved persons, who all are waiting for years together, will get affected. In this regard, this Court has earlier directed that Seniority Numbers are to be assigned to the Appeals and it has to be intimated to the appellants and thereafter, the Appeals are to be disposed of by following the procedure as



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contemplated, after affording opportunity to all the parties, in a systematic manner without causing undue delay.

4.In this regard, the respondents are directed to verify the detailed order passed by this Court in a batch of cases in ***W.P.No.4192 of 2018 [A.Selvam v. The Sub-Registrar, Dadagapatti, Salem District] etc., and batch***, dated 15.06.2023. In view of the facts and circumstances, the respondents are directed to register the Appeal submitted by the writ petitioner in the Book of Register, assign Seniority Number, and dispose of the same along with all other petitions which are all pending.

5.Accordingly, this writ petition is disposed of. No costs.

10.07.2023

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Index : Yes
Neutral citation : Yes / No
Speaking order



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To
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- 3.The Revenue Divisional Officer,
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S.M. SUBRAMANIAM, J.

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