



W.P. No.6423 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6423 of 2024

K.Periyasamy

... Petitioner

Vs.

1. The District Collector
District Collectorate
Namakkal District, Nakammal
2. The District Revenue Officer
Namakkal Taluk & District
3. The Revenue Divisional Officer
Namakkal
4. The Tahsildar
Sendamangalam Taluk, Namakkal District

5. Periyasamy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider and dispose of the appeal filed by the petitioner in Na.Ka.No.311 of 2020 dated 22.10.2020 pending on the file of the 2nd respondent.



W.P. No.6423 of 2024

For Petitioner : Mr.T.L.Thirumalaisamy
For R1 to R4 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to consider and dispose of the appeal filed by the petitioner in Na.Ka.No.311 of 2020 dated 22.10.2020, pending on the file of the 2nd respondent.

2. The counsel for the petitioner submitted that the petitioner filed an appeal dated 22.10.2020 before the 2nd respondent seeking to cancel the classification of Poramboke pathway fro G.R.No.137/165 and to issue patta in favour of the petitioner. The copy of the appeal papers along with documents was forwarded to the 3rd respondent on 10.11.2020 to inspect the property and to sent the report after conducting enquiry. The appeal is pending from the year 2020 and till now, the 2nd respondent has not conducted any enquiry. Hence, the present Writ Petition is filed.



W.P. No.6423 of 2024

WEB COPY

3.Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 to 4. Since no adverse order is being passed against the 5th respondent, notice to the 5th respondent is dispensed with.

4. Having regard to the submissions made by the learned counsel on either side and since the Writ Petition is filed seeking a simple Writ of Mandamus to dispose of the petitioner's appeal, this Court without expressing any opinion with regard to the merits of the case, directs the 2nd respondent to issue notice to the petitioner, 5th respondent herein, interested parties/rival claimants/objectors/aggrieved parties if any, as the case may be, if already notice was not issued, appeal was not heard and dispose of. After issuing notice and giving opportunity of hearing to all parties in the manner known to law, pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



W.P. No.6423 of 2024

WEB COPY

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

13.03.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

Ksa-2



W.P. No.6423 of 2024

WEB COPY

To

1. The District Collector
District Collectorate
Namakkal District, Nakammal
2. The District Revenue Officer
Namakkal Taluk & District
3. The Revenue Divisional Officer
Namakkal
4. The Tahsildar
Sendamangalam Taluk
Namakkal District



WEB COPY



W.P. No.6423 of 2024

P.VELMURUGAN. J.

Ksa-2

W.P. No.6423 of 2024

13.03.2024