



WEB COPY

W.P. No.1178 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.1178 of 2024

M.Javid Ali, Son of Late A.Mother Ali
Hereditary Muthawali Hazarth Syed Mustaffa Sha Aulia Dargha
Hereditary Sirukadambur Dargha Waqf (a)
Hazarth Khaja Fathesha Mohamed Dargha Waqf
No.2/26, Huq Street, Meenambur Village & Post
Gingee Taluk, Villupuram District ... Petitioner

Vs.

1. The Collector - Villupuram District
District Collector Office, Villupuram
Pin- 605 602
2. The District Revenue Officer
District Collector Office Campus,
Moovendar Nagar, Villupuram, Pin - 605 602
3. The Sub-Divisional Executive Magistrate
cum Sub Collector
Tindivanam, Villupuram District ... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the third respondent to dispose of the appeal preferred by petitioner on 02.11.2022 as against the order of the Tahsildar, Gingee in Na.Ka. No.A1/ 6649/2020 dated 25.10.2021 within time bound manner after affording personal hearing by following due process of law.

For Petitioner : Mr.P.Ramamoorthi (P-IN-P)



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For Respondent : Mrs.V.Yamunadevi
Special Government Pleader

ORDER

This Writ Petition is filed seeking a Writ of Mandamus to direct the 3rd respondent to dispose of the appeal preferred by petitioner on 02.11.2022 as against the order of the Tahsildar, Gingee in Na.Ka.No.A1/6649/2020 dated 25.10.2021, within time bound manner after affording personal hearing by following due process of law.

2. The case of the petitioner is that the petitioner had earlier filed a writ petition before this Court in W.P. No.25700 of 2021 and this Court while disposing the said writ petition on 01.09.2022, observed that the petitioner has got efficacious statutory remedy and therefore, directed the petitioner to file an appeal before the competent authority within a period of two weeks from the date of receipt of a copy of the order and this Court, also directed the appellate authority to dispose of the appeal within a period of four weeks from the date of receipt of the appeal from the petitioner. The main grievance of the petitioner is that even after a period of four weeks from the date of filing of the appeal, the appellate authority has not passed any order on the appeal filed by the petitioner as stipulated by this Court. Therefore, once



again, the petitioner has approached this Court by way of this Writ Petition.

3. Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader takes notice for the respondents.

4. Admittedly, in the earlier writ petition filed by the petitioner, this Court had given a direction to the appellate authority to pass orders within a period of four weeks from the date of filing of appeal by the petitioner. Even then, the appellate authority namely the 3rd respondent herein has not passed orders on the appeal filed by the petitioner. However, since this Court has already given a suitable direction to the appellate authority regarding the disposal of the petitioner's appeal, there is no cause of action for this writ petition.

5. Accordingly, this Writ Petition is dismissed at the admission stage itself. There shall be no order as to costs. The petitioner is at liberty to work out his remedy in the manner known to law.

19.01.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To

1. The Collector - Villupuram District



District Collector Office, Villupuram
Pin- 605 602

2. The District Revenue Officer
District Collector Office Campus,
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P.VELMURUGAN. J.

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