



W.P(MD)No.1952 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.1952 of 2024

B.Vairamani

..Petitioner

Vs

1.The District Collector,
Theni District,
Theni.

2.The Sub Collector,
Periyakulam,
Theni District.

3.The Tahsildar,
Periyakulam,
Theni District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to pass orders on the appeal preferred by the petitioner in terms of the proceedings of the 1st respondent in O.Mu.No. 2857/2022/T5(Ni.Ci.1) dated 20.01.2022 and pass appropriate orders on merits in accordance with law within the period that may stipulated by this Court.

For Petitioner : Mr.M.Jerin Mathew
For Respondents : Mrs.K.Christy Thebaral
Addl. Govt. Pleader



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ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the 2nd respondent to pass orders on the appeal preferred by the petitioner in terms of the proceedings of the 1st respondent in O.Mu.No. 2857/2022/T5(Ni.Ci.1) dated 20.01.2022 and pass appropriate orders on merits in accordance with law within the period that may stipulated by this Court.

2. Mrs.K.Christy Thebaral, learned Additional Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner would submit that the petitioner belongs to the schedule caste community and landless agriculturist. Hence, the petitioner was allotted land. Thereafter, a notice was issued on 05.08.2008 and the allotment was cancelled without any reasonable grounds. Hence, he has filed an appeal and the same was not considered by the first respondent. The Commissioner of Land Administration had directed the first respondent to take appropriate action and the thereby, the first respondent has directed the second respondent to pass appropriate orders on the same. Even thereafter, no action has been taken. Hence, he filed the present writ petition.



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4.The learned Additional Government Pleader appearing for the respondents would submit that the Petitioner's appeal will be disposed of in accordance with law by the second respondent within the time stipulated by this Court.

5.In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to dispose of the appeal preferred by the Petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ Petition stands disposed of. No costs.

01.02.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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- To
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V.BHAVANI SUBBAROYAN, J.

skn

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