



W.P.(MD)No.29109 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.29109 of 2024

and

W.M.P.(MD)No.24629 of 2024

Kumaran

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram District.

3.Mohamed Javathu Usain

4.Ummusalma

5.Marchuna Beevi

6.Razeena Begum

7.Nabeesha Beevi

8.Hameed Jagubar

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to dispose of the Appeal Petition No.30 of 2024, pending on the file of the first respondent within a time frame stipulated by this Court.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents 1 & 2 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by **M.S.RAMESH, J.**]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2.This writ petition has been filed for a Mandamus to direct the first respondent to dispose of the Appeal Petition No.30 of 2024, pending on the file of the first respondent within a time frame stipulated by this Court.

3.Since this Court is directing the official respondents to dispose of the petitioner's appeal, after giving due opportunity to



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the private respondents herein, notice to the private respondents is hereby dispensed with.

4.The petitioner herein had preferred an appeal before the first respondent on 23.08.2024, for issuance of patta. Since the said appeal is pending consideration, the present writ petition has been filed.

5.It is needless to point out that whenever a representation / appeal of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation / appeal by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

6.In the light of the above observations, there shall be a direction to the first respondent herein to dispose of the petitioner's appeal in Appeal No.30 of 2024, dated 23.08.2024, on



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its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein and the respondents 3 to 8 herein, as well as all other persons, who may be interested in the subject matter, within a period of three [3] months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same on its own merits.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R.,J.] & [A.D.M.C.,J.]

04.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To

1.The Revenue Divisional Officer,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram District.



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.29109 of 2024

04.12.2024