

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.3102 of 2014
& M.P.Nos.1 to 3 of 2014

G.Ramasubramanian .. Petitioner

Vs.

1.The Tahsildar,
Tahsildar Office,
Avinashi, Coimbatore District.

2.The Deputy Tahsildar,
Tahsildar Office, Avinashi,
Coimbatore District.

3.R.Subramanian .. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the order passed by the second respondent in reference No.Register 6 No.R12/1396, dated 27.04.2012, quash the same and consequently, direct the second respondent to restore the patta in favour of the petitioner as per his representation dated 11.12.2013 within a time frame to be fixed by this Court.

For Petitioner .. Mrs.Hema Sampath, S.C., for
Mr.S.Gunalan

For Respondents .. Mr.Digvijay Pandian,
Addl. Govt. Pleader for R1 &R2
Mr.N.Anand Venkatesh for R3

ORDER

This writ petition has been filed by the petitioner claiming to be the title holder of the land in Survey No.406/1 in Elalchipalayam hamlet of Karuvalur Village, Avaniashi Taluk, Coimbatore District, being aggrieved against the deletion of his name in the patta said to have been issued without affording an opportunity of hearing, based upon the report of the Village Administrative Officer.

2. When the matter is taken up for hearing, the learned counsel appearing for the private respondent submitted that the petitioner has made a complaint to the first respondent, pursuant to which, an enquiry has been initiated in the year 2013 itself. Therefore, the writ petition as filed is misconceived. He has also produced the copy of the enquiry notice said to have been issued by the first respondent.

3. Considering the above, the first respondent is directed to pass appropriate final order on the representation of the petitioner dated 11.12.2013 after affording an opportunity of being heard as well as the third respondent within a period of eight weeks from the date of receipt of a copy of this order. The third respondent is also permitted to give further representation within a period of two weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CSIII)

dt:05/10/2015

True Copy

Sub-Assistant Registrar

raa

To

1.The Tahsildar,
Tahsildar Office,
Avinashi, Coimbatore District.

2.The Deputy Tahsildar,
Tahsildar Office, Avinashi,
Coimbatore District.

+1 cc to Mr.S.Gunalan Advocate sr.50152
+1 cc to the Government Pleader sr.50579
+1 cc to Mr.N.Anand Venkatesh Advocate sr.50579

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