

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.08.2015

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

W.P.No.20513 of 2015

S.Vijayalakshmi

.. Petitioner

Vs

1.Collector,
Vellore District, Vellore.

2.Revenue Divisional Officer,
Ranipet, Vellore District.

3.Director,
DTCP, 807, Anna Salai,
Chennai-2.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents (1) for a joint de novo enquiry in lieu of the RDO's enquiry report dated 27.5.2013 by, (2) Cartographic evaluation, analysis of layout-approval file and scrutiny of antecedent revenue records of the petitioner's property, (3) fix responsibility for the inappropriate lop-sided report dated 27.5.2013 and (4) report compliance to this Court.

For Petitioner

.. Mr.Manikandan Vathan Chettiar

For Respondents

.. Mr.A.Kumar,
Spl.Govt.Pleader

ORDER

The petitioner is a practising lawyer, owning specific extent of land in Survey No.44, Plot No.28, Seekarajapuram Village, Walajah Taluk, Vellore District. On the request of the petitioner, an enquiry was conducted by the Revenue Divisional Officer and report was submitted to the District Collector on 27.05.2013. Not satisfied with the same, the petitioner has come forward to file the present writ petition seeking to conduct another de novo enquiry.

2.Learned counsel for the petitioner submitted that a proper enquiry can be conducted only by getting the lay out approval file, especially, with respect to the measurement of the plot from the

third respondent. He has also submitted that pursuant to the oral direction issued by this Court, which was duly informed by the learned Special Government Pleader to the second respondent, an enquiry has been fixed. Learned counsel would further submit that while conducting the enquiry, the lay out plan as available before the third respondent will have to be taken into consideration especially while dealing with the measurement.

3.The learned Special Government Pleader produced the letter dated 05.08.2015 sent by the second respondent to the office of the Government Pleader, in which, it has been stated that the petitioner has not come forward to attend the enquiry though notice was issued.

4.Learned counsel appearing for the petitioner would submit that the petitioner undertakes to appear for enquiry either in person or through a representative.

5.In such view of the matter, the writ petition stands disposed of by directing the Revenue Divisional Officer, Ranipet, Vellore, to conduct an enquiry as contemplated in the letter dated 05.08.2015, after due notice to the parties and conclude the same at the earliest. While doing so, the Revenue Divisional Officer is directed to get appropriate files pertaining to the land in question from the third respondent. The third respondent is also directed to send the relevant files on such a request made by the Revenue Divisional Officer.

6.The Revenue Divisional Officer, Ranipet, Vellore, while issuing summons to the petitioner, may send a copy of the same to the petitioner's counsel Mr.Manikandan Vathan Chettiar, No.6, Law Chambers, High Court Buildings, Chennai - 104. The Revenue Divisional Officer is also at liberty to issue notice to other necessary parties as well. It is made clear that parties and the counsels shall co-operate in the smooth exercise.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

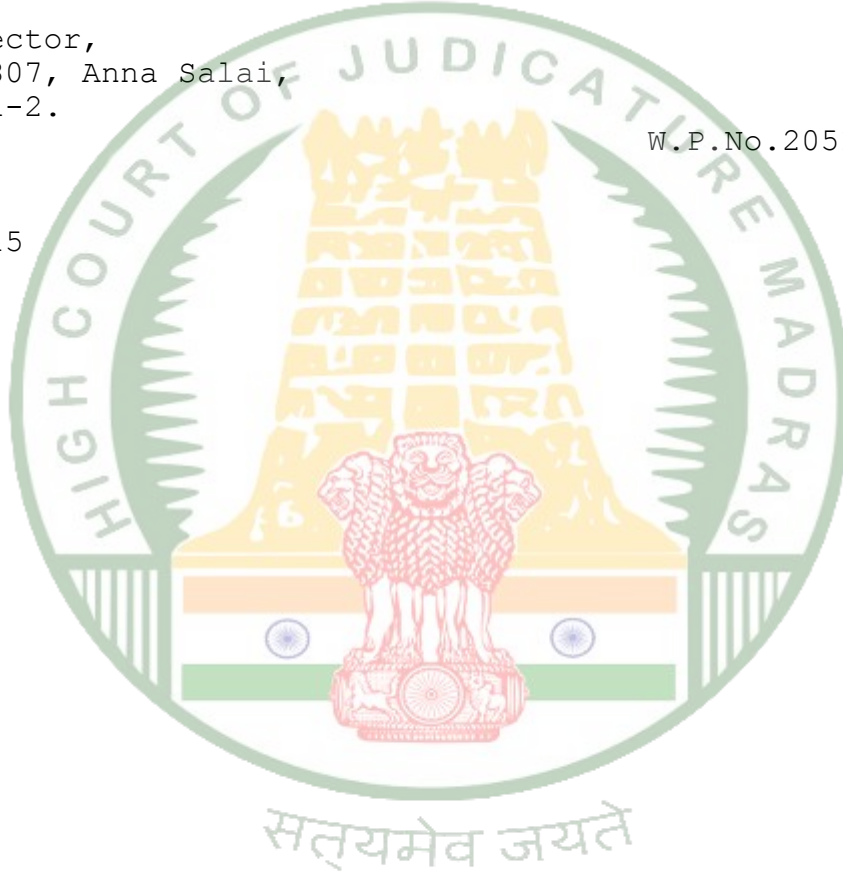
1.The Collector,
Vellore District, Vellore.

2.The Revenue Divisional Officer,
Ranipet, Vellore District.

3.The Director,
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BVR(CO)
Eu 31.08.15



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