

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.12.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.2715 of 2014

and

MP.No.1 of 2014

S.PETER LEONORD

....PETITIONER

Vs.

1. THE DISTRICT COLLECTOR
CUDDALORE CUDDALORE DISTRICT
2. THE DISTRICT REVENUE OFFICER
CUDDALORE CUDDALORE DISTRICT
3. THE REVENUE DIVISIONAL OFFICER
VIRUDHACHALAM DIVISION
VIRUDHACHALAM CUDDALORE DISTRICT
4. THE TASILDHAR
VIRUDHACHALAM TALUK VIRUDHACHALAM
CUDDALORE DISTRICT
5. THE MOST BACKWARD AND
MINORITY WELFARE OFFICER CUDDALORE
CUDDALORE DISTRICT
6. A. GNANAMUTHU
7. M.CHINNAPPAN
8. LEO CHARLES
9. P.S.PUSHPARAJ

.... RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 3rd respondent to pass order on the petitioner's representation dt.26.2.2013, on conducting enquiry, on giving due opportunity to the petitioner as per proceedings in Na.Ka.No.A3/1459/2013 dt 8.3.2013 in respect house site in S.No.165/12B measuring an extent of 39 cent and S.No.165/1B,1C in respect of Patta No.1193.

For Petitioner : Mr.G.Sasikannan

For R1,R2,R4 : Mr.P.Sanjay Gandhi, AGP

For R3, R5 : No appearance

For R6 to R9 : Mr.C.Prakasam

O R D E R

The petitioner has come forward to file this petition with a grievance that the enquiry initiated in Na.Ka.No.A3/1459/2013 dated 08.03.2013 has not been concluded till now, despite the representation made by him as early as on 26.02.2013.

2. Learned counsel for the petitioner submitted that in the writ petition filed by one Gnanamuthu, who is similarly placed like the petitioner, this Court passed an order directing the respondent No.2 therein, to conclude the enquiry within a reasonable time. However, due to the pendency of this writ petition, the direction issued by this Court dated 11.11.2013 could not be complied with.

3. A perusal of the order dated 11.11.2013 in WP.No.27389 of 2013 would show that the very same enquiry, which is the subject matter of the writ petition is directed to be completed. Therefore, it would be suffice, if the respondent No.3 herein is directed to complete the enquiry, pursuant to the notice issued in Na.Ka.No.A3/1459/2013 dated 08.03.2013, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and the private respondents, including the petitioner in WP.No.27389 of 2013.

4. Though in the earlier order dated 11.11.2013 a direction is issued to the respondent No.2, this Court is of considered view that it must be mistake on the part of the writ petitioner therein in seeking a direction to the respondent No.2 therein. A perusal of the enquiry notice dated 08.03.2013 would show that it is issued by the respondent No.3 herein and not the respondent No.2, who is also incidentally the respondent No.2 in the earlier petition. Therefore, the earlier direction issued on 11.11.2013 will have to be construed as if it has to be issued to the respondent No.3 in this present petition.

With the above said clarification and direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

gya

Sd/-

Asst.Registrar

/true copy/

To

1. THE DISTRICT COLLECTOR
CUDDALORE CUDDALORE DISTRICT
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VIRUDHACHALAM TALUK VIRUDHACHALAM
CUDDALORE DISTRICT
 5. THE MOST BACKWARD AND
MINORITY WELFARE OFFICER CUDDALORE
CUDDALORE DISTRICT.
- + 1 CC TO Mr.G.Sasikannan, ADVOCATE SR, 65583.
- + 1 CC TO Mr.C.Prakasam, ADVOCATE SR 65831.

KK/CO
KR/22/12

W.P.No.2715 of 2014

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