

In the High Court of Judicature at Madras

Dated: 15-09-2015

Coram:

The Hon'ble Mr.Justice M.Jaichandren

W.P. No.27871 of 2012

1. Pazhaniammal
2. Malliga
3. Thangamani
4. Marimuthu
5. Kondaiyaraj
6. Rani

... Petitioners.

Versus

1. The District Collector, Erode.
2. The Revenue Divisional Officer,
Erode.
3. N.Mani
4. K.A.Thangamuthu

... Respondents.

Prayer: Writ Petition is filed to issue a Writ of Mandamus, directing the 1st respondent to conduct an enquiry pursuant to the enquiry notice in Na.Ka.No.55025/2005/C2 dated 26.11.2007 and to pass order on merits.

For petitioners : Mr.D.Rajagopal

For respondents : Mr.P.Chinnadurai
Government Advocate (R1 & R2)

ORDER

Heard the learned counsel appearing for the petitioner, as well as the learned counsel appearing on behalf of the first and the second respondents.

2. This Writ Petition has been filed praying that this court may be pleased to issue a Writ of Mandamus directing the 1st respondent to conduct an enquiry, pursuant to the enquiry notice, in Na.Ka.No.55025/2005/C2, dated 26.11.2007, and to pass an order on merits.

3. At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioner had submitted that it would suffice, if this Court passes an order directing the 1st respondent to conduct an enquiry, pursuant to the enquiry notice in Na.Ka.No.55025/2005/C2, dated 26.11.2007, and to pass an order on merits, within the time frame fixed by this court.

3. The learned counsel appearing on behalf of first and the second respondents has no objection for such an order being passed by this Court.

4. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned, this court finds it fit to direct the 1st respondent to conduct an enquiry, pursuant to the enquiry notice, in Na.Ka.No.55025/2005/C2, dated 26.11.2007, and to pass an order on merits, after giving an opportunity of hearing to the petitioners, the 3rd and the 4th respondents and the other persons concerned, if any, within a period of twelve weeks from the date of receipt of a copy of this order, if the enquiry had not been conducted, till date. However, it is made clear that this Court, by this order, has not expressed any opinion on the merits of the matter.

5. Accordingly, the Writ Petition is disposed of, with the above directions. No costs. Consequently, connected miscellaneous petition in M.P.No.1 of 2012 is closed.

-s/d-

Assistant Registrar(CSIII)
dt:5/10/2015

True Copy

Sub-Assistant Registrar

csh
To

1. The District Collector, Erode.

2. The Revenue Divisional Officer,
Erode.

+1 cc to the Government Pleader sr.50505

+1 cc to Mr.D.Rajagopal Advocate sr.50277

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