



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.942 of 2015

Koothayee ... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Koogudi Post,
Thiruvadanai Taluk,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Thiruvadanai Taluk,
Ramathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to issue a suitable direction to the 2nd respondent to implement the order of the 1st respondent dated 16.12.2011 passed in Roc.No.B5/59818/2011 regarding cancellation of patta issued by the 2nd respondent vide RTR 2123/2010 and consequently direct the respondents to conduct a detailed enquiry by giving all sort of reasonable opportunity to both the parties and thereafter to decide patta transfer as per the records and outcome of the enquiry.

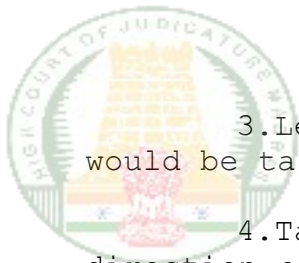
For Petitioner : Mr.V.R.Venkatesan

For Respondents : Mr.S.Chandrasekar,
Government Advocate.

O R D E R

The present writ petition has been filed for Mandamus to implement the order of the first respondent dated 16.12.2011.

2.According to the petitioner, the first respondent has already passed an order as early as on 16.12.2011 directing the Tahsildar to conduct enquiry afresh by giving notice to the petitioner herein and decide the patta transfer as per records. In fact, he had also cancelled the earlier order dated 21.09.2011. But in spite of such direction issued by the Collector as early as on 16.12.2011, according to the petitioner, till date no enquiry was called for and no order has been passed for more than four years. Hence, the present writ petition for the aforementioned relief.



3.Learned Government Advocate would contend that necessary action would be taken in accordance with law after giving notice to the parties.

4.Taking into consideration the limited prayer especially the direction of the District Collector has not been obeyed for the past more than four years, Mandamus is issued directing the Tahsildar, the second respondent herein to take necessary further course of action by conducting enquiry as per the direction of the District Collector, dated 16.12.2011 and after giving notice to all the parties concerned including the petitioner pass appropriate orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

5.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (Per Admn)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar, Koogudi Post,
Thiruvadanai Taluk,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Thiruvadanai Taluk,
Ramathapuram District.

+1cc to MR.V.R.VENKATESAN, ADVOCATE IN SR : 3607

+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 3897

Sms

SR : 23.02.2015 : 2p/6c

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