

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27458 of 2016

And

W.M.P.No.23647 of 2016

1. D.N.Paramasivam
2. J.Saraswathi
3. R.Lalitha

... Petitioners

Vs.

- 1 The District Collector
Dharmapuri.
- 2 The Tahsildar
Palacode Taluk
Dharmapuri District.
- 3 The Zonal Deputy Tahsildar
O/o. The Tahsildar
Palacode Taluk,
Dharmapuri District.
4. Smt.Sundarammal @ Sundaram
5. Shri.Ashok Kumar
6. Smt. Lakshmi Selvam
7. Shri.Anandakumar

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings pertaining to Na.Ka.4829/2016/E6 dated

19.07.2016 on the file of the Office of the Tahsildar, Palacode, signed by the Zonal Deputy Tahsildar, Palacode, quash the same and to issue a direction directing the continuation of all further proceedings in Na.Ka.4829/2016/E/dated 19.07.2016 either by the second respondent or by any other higher authority.

For Petitioner : Mr.R.Selvakumar
For Respondents : Mr.A.N.Thambidurai for R1 to R3
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.On behalf of the petitioners Thiru.M.Gnanam, Advocate, Palacode has issued a legal notice dated 27.06.2016 to respondents 1 and 2 as well as to Thiru.Ashok Kumar, Thiru.Ananda Kumar, Smt.Lakshmi and Smt.Sundarammal requesting not to resort to any proceedings for transfer of Patta No.1042 granted in their favour and the second respondent on receipt of the same, has fixed the date of enquiry on 28.07.2016 and curiously not putting the rival claimants on notice and therefore, came forward to file this writ petition.

3.Mr.R.Selvakumar, learned counsel appearing for the petitioners would submit that the second respondent in all fairness should have issued to notices to Thiru.Ashok Kumar, Thiru.Ananda Kumar, Smt.Lakshmi and Smt.Sundarammal before conducting enquiry and since it has not been done so, the petitioners are constrained to approach this Court by way of filing this writ

petition.

4.Heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 3.

5.Though the petitioners prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners, directs the second respondent to issue notice of enquiry to the respondents 4 to 7 also, by fixing a particular date and time and after affording both parties a reasonable opportunity, shall dispose of representation in the form of legal notice dated 27.06.2016, in accordance with law, and pass orders, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners as well as to the respondents 4 to 7.

6.This writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

05.08.2016

Index: Yes/ No Internet: Yes/ No
mk/pri

M.SATHYANARAYANAN,J.

MK/pri

To

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