

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2016

Coram

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.9655 of 2016

K.N.Subramanian

...Petitioner

Vs.

1. The Appellate Authority/Additional Chief Secretary/Commissioner for Land Administration, Land Administration, Chepauk, Chennai.
 2. The District Collector and Licence Issuing Authority, Coimbatore.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to complete the enquiry in Na.Ka.No.1480/2015/Vu2, dated 08.05.2015, and to pass orders in pursuant to the proceedings of the first respondent, dated 27.07.2015, in R.C.No.L3/14397/2015.

For Petitioner : Mr.V.Anandhamurthy

For Respondents : Mr.J.Balagopal
Additional Government Pleader

O R D E R

Heard Mr.V.Anandhamurthy, the learned counsel appearing for the petitioner and Mr.J.Balagopal, the learned Additional Government Pleader, who accepts notice for respondents. With the consent of the parties, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner seeks for an innocuous direction, viz., to direct the second respondent to conclude the enquiry, which has been commenced, pursuant to the notice, dated 15.09.2015, by which, the petitioner was directed to appear for enquiry on 28.09.2015.

3. The petitioner would state that, as directed, he appeared before for enquiry on 28.09.2015, in the Office of the second respondent, but the proceedings stood adjourned sine die. Therefore, the petitioner seeks for a direction upon the second respondent to conclude the enquiry in a time bound manner. However, the petitioner has not impleaded the person, who is said to be opposing the petitioner's prayer, who was represented through the counsel before the Appellate Authority. Thus, in the absence of such person, who is remaining as an obstacle to the petitioner's prayer, no positive direction can be issued to the second respondent, as sought for by the petitioner. However, considering the fact that the second respondent has already taken up the matter, and commenced enquiry, this Court is of the view that, it would be appropriate for the second respondent to conclude the proceedings expeditiously, in the light of the order of remand passed by the Appellate Authority. Accordingly, the Writ Petition is disposed of, by directing the second respondent to conclude the proceedings after issuing notice to the petitioner and other parties, who is objecting to the petitioner's request and after hearing the parties, the second respondent shall pass final orders in accordance with law, within a period of four months from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Appellate Authority/Additional Chief Secretary/Commissioner for Land Administration, Land Administration, Chepauk, Chennai.

2. The District Collector and Licence Issuing Authority, Coimbatore.

+1cc to M/s. V. Anandhamoorthy, Advocate, S.R.No.16848

+1cc to the Government Pleader, S.R.No.16950

MP(CO)

EU(30/03/2016)

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