



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.17590 of 2016

Murugan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3.The Revenue Divisional Officer,
Revenue Office,
Tenkasi, Tirunelveli District.

4.The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.

5.The Executive Officer,
AlangulamTown Panchayat,
Tirunelveli.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent herein to conduct enquiry based upon the proceedings of 1st respondent in O.Mu.Ka.NO.2/30196/2016 dated 3.8.2016.

For Petitioner : Mr.D.Selvaraj
For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate.

ORDER

Heard Mr.D.Selvaraj, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthiah, learned Government Advocate who takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the admission stage.



2.This writ petition has been filed to direct the fourth respondent to conduct enquiry based upon the proceedings of first respondent in O.Mu.Ka.No.2/30196/2016 dated 3.8.2016.

3.According to the petitioner, he has filed an application to remove encroachment in the common pathway before the Tahsildar. Subsequently, the matter was referred to the District Revenue Officer, the second respondent herein. Based on the said application, the District Revenue Officer, the second respondent directed the Tahsildar, Alangulam to submit his report by proceedings dated 03.08.2016. So far, no final order has been passed. Hence, the present writ petition has been filed.

4.In the above circumstances, the Tahsildar, Alangulam is directed to conduct enquiry based on the proceedings of the second respondent, dated 03.08.2016 and pass appropriate orders, after giving opportunity to the petitioner as well as any rival parties whose rights are likely to be affected by the orders to be passed. The above said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

sms

To

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3.The Revenue Divisional Officer,
Revenue Office, Tenkasi, Tirunelveli District.

4.The Tahsildar, Sankarankovil Taluk,
Tirunelveli District.

5.The Executive Officer, AlangulamTown Panchayat,
Tirunelveli.

GJM/SK/SKN/SAR-I-26.9.16-2p-6c

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