



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 29.11.2016

Coram

WEB COPY

THE HON'BLE **MR. JUSTICE V.BHARATHIDASAN**

Writ Petition (MD)No.22980 of 2016

A.BALAKRISHNAN . . . Petitioner

-Vs-

1 THE REVENUE DIVISIONAL OFFICER,
TUTICORIN DISTRICT.

2 C.JEYAPRABHU . . . Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to enquire and pass final order in Na.Ka.A1/2950/2014 within a stipulated time.

For petitioner

:Mr. B. Rajesh Saravanan

For respondents

:Mr. N.S. Karthikeyan

Additional Government Pleader

ORDER

The writ petition has been filed seeking a direction, directing the 1st respondent to enquire and pass final order in Na.Ka.A1/2950/2014 within a stipulated time.

2.Since no adverse order is going to be passed against the second respondent, notice in respect of the second respondent is dispensed with.

3.According to the petitioner, challenging the issuance of joint patta by the first respondent/Revenue Divisional Officer, Tuticorin, Tuticorin District, the petitioner filed an appeal before the first respondent to cancel the same. The above appeal was also taken on file and subsequently, enquiry was conducted on 20.10.2015, in which, the petitioner and other rival claimants also appeared and the enquiry was completed. Even after completion of the enquiry, no order has been passed. Hence, he has come forward with the present writ petition.

4.The grievance of the petitioner is that since the enquiry was already over, the first respondent may be directed to pass orders on merits in the appeal filed by him.



5. Heard the submissions made on either side and perused the material documents carefully.

6. Considering the above fact, if the enquiry was already over, the first respondent is directed to pass orders in the appeal filed by the petitioner on merits within a period of six weeks from the date of receipt of a copy of this order and in the event of enquiry is not completed, the first respondent is directed to issue notice to the parties once again and conduct a fresh enquiry and pass orders on merits and in accordance with law as expeditiously as possible.

7. Accordingly, this writ petition is disposed of accordingly. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

THE REVENUE DIVISIONAL OFFICER,
TUTICORIN DISTRICT.

+1 cc to The Special Government Pleader, SR.No 74212
+1 cc to Mr. BRajesh Saravanan, Advocate SR.No 74038

vs

ms:11.01.2017:2p.4c

W.P. (md) .NO.22980 of 2016
29.11.2016