



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.23111 of 2016

M.Mohamed Iqbal,
S/o.K.A(late) Mohamed Ismail,
Power agent of M.Mohamed Mansoor Hallaj ... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

3.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

4.The Tahsildar,
Papanasam Taluk,
Papanasam,
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to implement the enquiry report submitted by the fourth respondent in his proceedings in Na.Ka.No.15947-2014 Aa4, dated 24.03.2016.

For Petitioner : Mr.K.Guhan
For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.



3. According to the petitioner, he filed an appeal before the third respondent against the transfer of patta in favour of third parties. Based on the appeal, the third respondent also directed the fourth respondent-Tahsildar to conduct enquiry and file a report. Pursuant to the same, the fourth respondent also conducted an enquiry and submitted his report to the third respondent as early as on 24.03.2015. So far no order has been passed by the third respondent. Since the same is pending before the third respondent, the petitioner has filed the present Writ Petition.

4. Taking into consideration the fact that the petitioner's appeal is pending for a long time and the enquiry conducted by the Tahsildar is also over, the third respondent is directed to consider the petitioner's appeal and pass suitable orders, after issuing notice to the petitioner as well as to the rival claimants, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

ps

To

1. The District Collector,
Thanjavur District, Thanjavur.

2. The District Revenue Officer,
Thanjavur District, Thanjavur.

3. The Revenue Divisional Officer,
Kumbakonam, Thanjavur District.

4. The Tahsildar,
Papanasam Taluk,
Papanasam, Thanjavur District.

+1cc to Mr. Advocate Sr.No.

+1cc to Spl. Government Pleader Sr.No.

JAM/16.12.16/KM/2p-7c

W.P (MD) No. 23111 of 2016
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