



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2016

CORAM:

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THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

**W.P (MD) No.19966 of 2013
and
M.P (MD) Nos.1 and 2 of 2013**

Vijaya Krishnan : Petitioner
Vs.

1. The District Collector,
Theni District.
2. The Revenue Divisional Officer,
Periyakulam Taluk, Theni District.
3. The Tahsildar,
Periyakulam Taluk,
Theni District.
4. The Superintendent of Police,
Theni District.
5. The Deputy Superintendent of Police,
Periyakulam, Theni District.
6. The Inspector of Police,
Thenkarai Police Station, Periyakulam,
Theni District.
7. Ochammal : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent herein to pass final orders on merit and in accordance with law pursuant to the enquiry conducted by the third respondent on 19.11.2013 as per the enquiry notice issued by the third respondent in Na.Ka.No.6308/2013/B1, dated 23.10.2013 within a reasonable time as may be specified by this Court and consequently direct the third respondent to issue patta to the petitioner as per his title deed and sale deed dated 01.09.2004 vide Doc. No.1436/2004.



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For Petitioner : Mr.K.Appadurai
For R-1 to R-6 : Mr.K.Guru,
Additional Government Pleader
For R-7 : Mr.M.V.Venkataseshan

O R D E R

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the third respondent herein to pass final orders on merit and in accordance with law pursuant to the enquiry conducted by the third respondent on 19.11.2013 as per the enquiry notice issued by the third respondent in Na.Ka.No.6308/2013/B1, dated 23.10.2013 within a reasonable time as may be specified by this Court and consequently direct the third respondent to issue patta to the petitioner as per his title deed and sale deed dated 01.09.2004 vide Doc. No.1436/2004.

2.Heard the learned counsel appearing for the petitioner as well as Mr.K.Guru, learned Additional Government Pleader appearing for the respondents 1to 6 and learned counsel for the seventh respondent.

3. After elaborate arguments, the learned Counsel appearing for the petitioner would submit that it would suffice if the representation of the petitioner is disposed of by conducting proper enquiry, by the third respondent, on merits and in accordance with law within the time stipulated by this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law.

5.In view of the above, the Writ Petition is disposed of with a direction to the third respondent/Tahsildar to consider the representation of the petitioner, dated 25.05.2005, and to conduct enquiry, by giving personal opportunity to the petitioner as well as the seventh respondent. Since the seventh respondent already filed a civil suit, the third respondent is directed to consider the seventh respondent's documents and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Cr1.Side)

/True Copy/



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To

1. The District Collector,
Theni District.

2. The Revenue Divisional Officer,
Periyakulam Taluk, Theni District.

3. The Tahsildar,
Periyakulam Taluk,
Theni District.

4. The Superintendent of Police,
Theni District.

5. The Deputy Superintendent of Police,
Periyakulam, Theni District.

6. The Inspector of Police,
Thenkarai Police Station, Periyakulam,
Theni District.

+1CC to Mr.K.Appadurai, Advocate Sr.No.78680

+1CC to Mr.M.V.Venkataseshan, Advocate Sr.No.78297

+1CC to Spl.Government Pleader Sr.No.79040

GJM/MPA/EM/SAR-3-9.1.17-3p-10C

ORDER MADE IN
W.P(MD)No.19966 of 2013
and
M.P(MD)Nos.1 and 2 of 2013
01.12.2016