

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No.16208 of 2004

and

W.M.P.No.19142 of 2004

D. Marimuthu
Senthamangalam, Perungudi Post,
Thiruvadaikali, Tharangambadi Taluk Petitioner

Vs.

1. The Special Deputy Collector
(Revenue Court),
East Car Street, Mayiladuthurai.

2. The Special Revenue Inspector,
Enforcement, Revenue Court,
Mayiladuthurai.

3. Mohammed Akaiya
No.3/146, Valaipattai Street,
Sankaran Panthal Village,
Tharangambadi Taluk Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified mandamus to call for the records relating to proceedings of the first respondent in Ne.Ma.No.257/96/A, dated 31.05.2004 and quash the same and consequently directing the first respondent to pass fresh orders after giving an opportunity of hearing to the petitioner as contemplated under Tamilnadu Cultivating Tenants Protection Act 1955.

For Petitioner : Mr. Shivakumar

For Respondents : Mr. I. Sathish,
A.G.P.for R1 & R2

O R D E R

This writ petition has been filed challenging the information given to the petitioner regarding the enquiry scheduled to be conducted by the Special Deputy Tahsildar, (Revenue) Mayiladurai.

2. On perusal of the order, it could be seen that the petitioner is a tenant and already eviction has been ordered by the first respondent by an order dated 03.07.1996. For carrying out the above order of eviction, an enquiry was scheduled to be held on 18.06.2004, for which the petitioner and the landlord are directed to appear. On a perusal of the Order, it could be seen that it is only a notice for enquiry issued by the first respondent and hence, the petitioner cannot maintain the writ petition challenging the notice for enquiry.

3. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The Special Deputy Collector
(Revenue Court),
East Car Street, Mayiladuthurai.

2.The Special Revenue Inspector,
Enforcement, Revenue Court,
Mayiladuthurai.

+lcc to the Government Pleader SR.87359

AD(CO)
CB(04/12/2019)

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