

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6899 of 2018

R.Subramani

...Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Sub-Collector,
Tiruppur.

3.The Tahsildar,
Avinashi Taluk,
Avinashi.

4.A.Selvaraj

5.A.Palanisamy

6.A.Velusamy
(R4 to R6 impleaded as per order
made in W.M.P.No.9750/2019
dated 27.09.2018 by RMDJ)

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to complete the enquiry in accordance with the proceedings of the 2nd respondent vide Na.Ka.No.3756/2017/A2 dated 19.09.2017 and to submit the enquiry report within a time frame as fixed by this Court.

For Petitioner : Mr.D.R.Arun Kumar

For Respondents: Mr.I.Sathish,
Additional Government Pleader
for R1 to R3
Mr.V.P.Sengottuvel for R4 to R6

O R D E R

The petitioner seeks for a Mandamus directing the 3rd respondent to complete the enquiry in accordance with the proceedings of the 2nd respondent dated 19.09.2017.

2. Heard both sides.

3. The petitioner claims to be the owner of the subject matter property. According to him, the 3rd respondent erroneously deleted his name in the patta and entered the names of the respondents 4 to 6 in respect of the said property. Therefore, he approached the 2nd respondent and given a complaint. It appears that the 2nd respondent directed the 3rd respondent to conduct an enquiry and send a report. Now, the present writ petition is filed for a Mandamus directing the 3rd respondent to complete the enquiry and submit a report to the 2nd respondent within the time frame fixed by this Court.

4. It is represented by the learned counsel for the petitioner as well as the learned counsel appearing for the respondents 4 to 6 that the enquiry has not commenced.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner and the respondents 4 to 6. Therefore, the 3rd respondent is directed to commence the enquiry and complete the same after hearing the petitioner and the respondents 4 to 6 as well as other interested parties, if any. Consequently, the 3rd respondent, on completion of such enquiry, send a report to the 2nd respondent. The whole exercise shall be completed by the 3rd respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

gsi/vsi

To

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Sub-Collector,
Tiruppur.

3.The Tahsildar,
Avinashi Taluk, Avinashi.

+1cc to Mr.V.P.Sengottuvel, Advocate sr.no.20114
+1cc to Government Pleader sr.no.20511
+1cc to Mr.D.R.Arun Kumar, Advocate sr.no.19656

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gp(co)
nr 08/04/2019



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