

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11645 of 2019
and
W.M.P.Nos.11875 & 11876 of 2019

K.Kanaga Sabapathy

...Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by
The Revenue Divisional Officer
Moovendhar Nagar
Villupuram.
- 2.The Tahsildar
Vaanur
Villupuram District.
- 3.The Village Administrative Officer
Kottakuppam Village
Vaanur
Villupuram District.
- 4.Mrs.Prithi
FF3, Fourth Floor
Malar Tulip Grand Apartments
Krishna Nagar, Lawspet,
Puducherry.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the enquiry records in Na.Ka.No.A3/1241/2019 pending on the file of the first respondent and quash the same.

For Petitioner : Mr.P.T.Perumal

For Respondents: Mr.R.Govindasamy
Special Government Pleader
for R1 to R3

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents 1 to 3. Since this writ petition is being disposed of, without affecting the interest of the fourth respondent, notice to the said respondent is dispensed with.

2. This writ petition is filed challenging the proceedings dated 08.03.2019, which is nothing but an enquiry notice issued by the first respondent-Revenue Divisional Officer, Villupuram, calling upon the petitioner to appear for an enquiry with regard to patta proceedings.

3. Heard Mr.P.T.Perumal, learned counsel for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader for the respondents 1 to 3.

4. As already stated supra, what is under challenge in this writ petition is nothing, but an enquiry notice. Therefore, this Court is not inclined to interfere with the enquiry notice, when admittedly, the petitioner has already attended the enquiry and raised his objections. Since the petitioner has already attended the enquiry and made his objections, it is for the first respondent to consider those objections and pass orders on merits and in accordance with law, after hearing the petitioner as well as the fourth respondent and other interested parties, if any. It is made clear that this Court is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent-Revenue Divisional Officer to consider and decide the same.

5. Therefore, without expressing any view on the merits of the claim made by the petitioner, this Writ Petition is disposed of, only by directing the first respondent-Revenue Divisional Officer to pass final orders in the enquiry notice after hearing all the parties concerned on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if he has not passed any order so far. No costs. Consequently, connected miscellaneous petitions are closed.

mk

Sd/-

Assistant Registrar(C.O.)

//True Copy//

Sub Assistant Registrar

To

1.The State of Tamil Nadu
Rep. by
The Revenue Divisional Officer
Moovendhar Nagar
Villupuram.

2.The Tahsildar
Vaanur
Villupuram District.

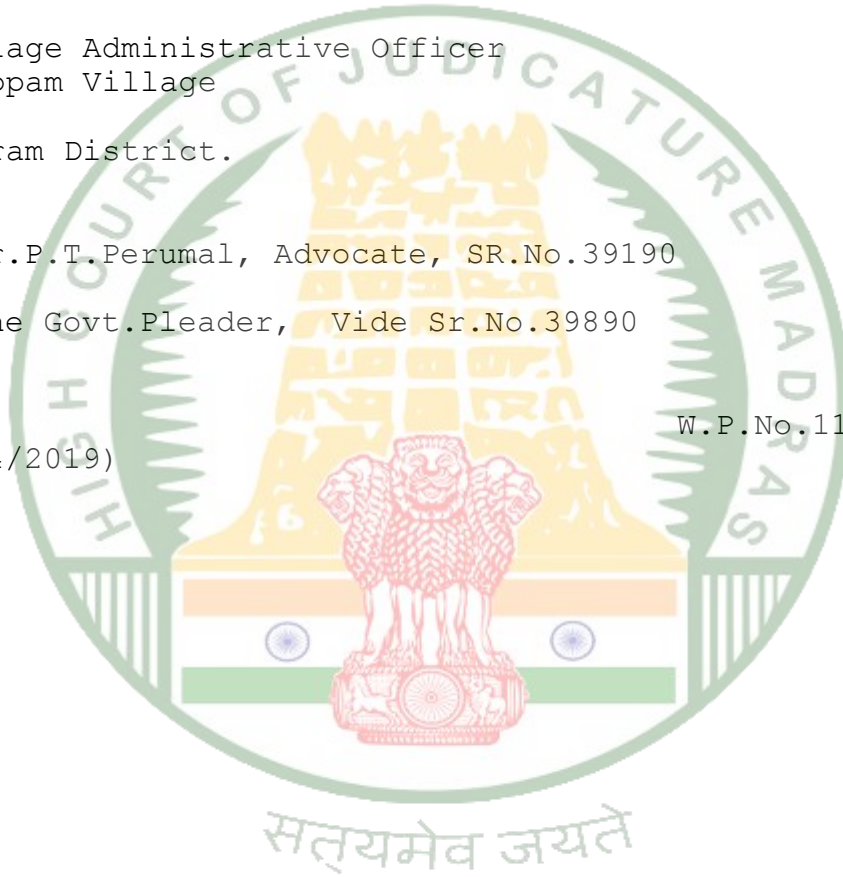
3.The Village Administrative Officer
Kottakuppam Village
Vaanur
Villupuram District.

+1cc to Mr.P.T.Perumal, Advocate, SR.No.39190

+1cc to the Govt.Pleader, Vide Sr.No.39890

Kak(26/04/2019)

W.P.No.11645 of 2019



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