

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.30356 of 2019

and

W.M.P.No.30341 of 2019

P.V.A.Selvam

.. Petitioner

/versus/

1.The Tahsildar,
Oulgaret Taluk Office,
Puducherry.

2.P.Kumaran

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, forbearing the 1st respondent from conducting any enquiry on the basis of the petition dated 03.07.2019 submitted to the 1st respondent by the 2nd respondent.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.A.V.Ramalingam, AGP for R1

ORDER

By consent, the main writ petition is taken up for final disposal at the admission stage itself.

2. The Tahsildar cum Chairman Advisory Committee has caused notice to the petitioner pursuant to the land grabbing petition filed by one P.Kumaran alleging that the petitioner has trespassed into his land.

3. The 1st respondent has caused notice to the petitioner herein to participate the enquiry on 12.07.2019 to enable the Deputy Surveyor of his office to complete the task of the enquiry process. The petitioner has given explanation but not fully co-operate with the enquiry and he has approached this Court by way of writ petition.

4. This Court does not find any merit in this writ petition since the enquiry is sought to be conducted by the Revenue authorities based on the complaint of land grabbing. A fair and proper enquiry is necessary, when a grave complaint of land grabbing is made. For the said purpose, notice has been issued by the Tahsildar to the petitioner. If the petitioner has valid title in his favour, he need not shy to

participate in the enquiry. The petitioner shall present all the relevant documents in his favour and cooperate with the enquiry initiated by the Tahsildar.

5. For the said purpose while dismissing the writ petition, the petitioner is directed to present the necessary papers before the 1st respondent on or before 05.11.2019. On receiving the representation the 1st respondent shall proceed with the enquiry and pass appropriate orders.

6. With the above observation, this writ petition is dismissed. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rpl

To

The Tahsildar,
Oulgaret Taluk Office,
Puducherry.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No. 89240

+1cc to office of The Public Prosecutor (Puducherry)
SR.No.89294

W.P.No.30356 of 2019
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VBA (CO)
GN(20/11/2019)

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