



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16508 of 2019

Appasamy

.. Petitioner

Vs.

1.The Special Tahsildar,
Land Revenue Project Scheme,
Bazar School, Periya Kadai Street,
Pattukottai,
Thanjavur District.

2.Maharani

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry and pass an order in respect of T.S.No.54/2, Ward - C, Block - 24, Pattukottai Town, Thanjavur District, within the time frame manner.

For Petitioner

: Mr.K.Kumaravel

For R1

: Mr.C.M.Mari Chellaiah Prabhu

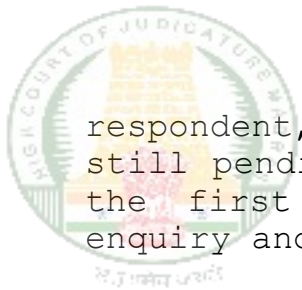
Additional Government Pleader

ORDER

The prayer sought for in this Writ Petition is, to direct the first respondent to conduct an enquiry and pass an order in respect of T.S.No.54/2, Ward - C, Block - 24, Pattukottai Town, Thanjavur District, within a time to be fixed by this Court.

2.Heard Mr.K.Kumaravel, learned counsel appearing for the petitioner and Mr.C.M.Mari Chellaiah Prabhu, learned Additional Government Pleader appearing for the first respondent. Though notice was ordered to the second respondent, service is awaited. Since no adverse order is going to be passed against the second respondent, this Writ Petition is taken up for final disposal.

3.With regard to the property in T.S.No.54/2, Ward - C, Block - 24, Pattukottai Town, Thanjavur District, the petitioner made an appeal, by way of representation on 11.03.2019 to the District Collector, Thanjavur and the same had been forwarded by the District Collector on 26.03.2019 to the first respondent, to enquire and pass orders. Pursuant to which, according to the learned Additional Government Pleader appearing for the first respondent, two times, notices had been sent to both the petitioner as well as the second



respondent, but, none of them responded. Therefore, the enquiry is still pending before the first respondent. Once they appear before the first respondent, the first respondent would complete the enquiry and pass appropriate orders.

4. Today, the learned counsel appearing for the petitioner would submit that hereafter once the summon is received from the first respondent, certainly, the petitioner would appear.

5. In that view of the matter, considering the submissions made by the learned counsel appearing for the parties, this Court is inclined to dispose of the Writ Petition with the following directions:-

(i) The first respondent shall issue summons to the petitioner and the second respondent within a period of two weeks from the date of receipt of a copy of this order, indicating the date of enquiry.

(ii) On receipt of summons, the petitioner and the second respondent shall appear before the first respondent, on the date indicated in the summons.

(iii) After conducting enquiry, by giving reasonable opportunity to both the petitioner as well as the second respondent, the first respondent - Special Tahsildar shall pass final orders, within a period of four weeks thereafter.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

Smn2

To

The Special Tahsildar,
Land Revenue Project Scheme,
Bazar School, Periya Kadai Street,
Pattukottai,
Thanjavur District.

+1 CC to SPL GP (SR-79473[F] dated 02/08/2019)

+1 CC to Mr.K.KUMARAVEL, Advocate (SR-79611[F] dated 05/08/2019)