



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.19492 of 2019

WEB COPY

Thirupathi

... Petitioner

vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Assistant Director,
Assistant Director (Audit Office),
Pudukkottai, Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to complete the enquiry pending in Na.Ka.Na.Ka.A1/766/2016, dated 13.06.2016 within stipulated time and consequently direct the first respondent to supervise the proceedings of the second respondent in Na.ka.A1/766/2016.

For Petitioner : Mr.J.Senthil Kumar
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

Mr.J.Senthil Kumar, learned counsel on record for writ petitioner and Mr.B.Bhagawathi, learned Government Advocate, who accepts notice on behalf of both the respondents, are before this Court.

2. Considering that the main Writ Petition turns on a very narrow compass, with consent of learned counsel on both sides, main Writ Petition is taken up, heard out and is being disposed of.

3. Short facts as projected in the Writ Petition herein are that there is an auction pertaining to trees in Viralimalai Panchayat, Pudukkottai District.

4. Perusal of the case file placed before this Court reveals that the second respondent has embarked upon the exercise of conducting a enquiry and as part of the enquiry the second respondent had issued notice dated 13.06.2016 bearing Na.ka.A1/766/2016, wherein second respondent has fixed enquiry at 11.00 a.m (Forenoon) on 28.06.2016.



5. It is the case of the writ petitioner that enquiry has not been carried to its logical end, in spite of reminders from the writ petitioner.

6. Furthering his submission in this direction, it is submitted that writ petitioner has obtained particulars under Right to Information Act which show that the enquiry is pending.

7. State counsel submits that the present incumbent of the Office of the second respondent would continue the enquiry which has already been commenced and conclude the same.

8. In the light of the narrative thus far, this Writ Petition is disposed of with a direction to the second respondent to continue the aforesaid enquiry vide aforementioned notice bearing reference Na.ka.A1/766/2016 dated 13.06.2016, conclude the same as expeditiously as possible and in any event, within a period of twelve weeks from the date of receipt of a copy of this order.

9. Outcome of the enquiry shall be communicated to writ petitioner and all concerned under due acknowledgement within fifteen working days from the date of such conclusion. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Assistant Director,
Assistant Director (Audit Office),
Pudukkottai, Pudukkottai District.

+1 CC to SPL.GP (SR-86123[F] dated 10/09/2019)

+1 CC to Mr.J.SENTHIL KUMAR, Advocate (SR-86224[F] dated 10/09/2019)

W.P (MD) No.19492 of 2019
09.09.2019

tsg

MK (23.09.2019) 2P 5C