

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10068 of 2020 and
W.M.P.Nos.12233 & 12234 of 2020

V.Murugesan

... Petitioner

Vs.

- 1.The Tahsildar,
Madukarai Taluk Office,
Madukarai,
Coimbatore.
- 2.Duraisamy
- 3.Palanisamy
- 4.Marathal
- 5.Saraswathi

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus, calling for the records of the first respondent in his proceedings E.No.10 (1) section Revenue Department Coimbatore District bearing patta No.1813 dated 28.06.2020 and patta No.1812 dated 22.07.2020 entries pertaining to respondents 2 to 5 and quash the same and direct the first respondent to delete the aforesaid entry made in the names of the respondents 2 to 5 from the record and pass orders.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.Annai Ezhil,

Government Advocate for R1

O R D E R

This writ petition has been filed challenging the proceedings of the first respondent dated 28.06.2020 and 22.07.2020 and for a consequential direction to delete the names of the respondents 2 to 5 from the revenue records and issue a fresh patta.

2.Mr.G.Jeremiah, learned counsel appearing on behalf of the petitioner submitted that the first respondent gave a specific undertaking before this Court that no order will be passed without giving an opportunity to the petitioner and recording the same, the earlier writ petition was disposed of by an order dated 14.10.2019 and that in total disregard to the said order, the first respondent has proceeded to pass an order on 28.06.2020 and 22.07.2020. Aggrieved by the same, the present writ petition has been filed before this Court.

3.Mr.Annai Ezhil, learned Government Advocate appearing on behalf of the first respondent submitted based on the instructions received by him that the objections made by the petitioner and his family members on 28.09.2019 has been taken on file and a fresh enquiry will be conducted on 17.08.2020 at 11 a.m.

4. Recording the submissions of the learned Government Advocate, this writ petition is disposed of with the direction to the first respondent to consider the objections made by the petitioner on 28.09.2019 and conduct an enquiry. The first respondent before conducting the enquiry and passing final orders, shall issue notice to the respondents 2 to 5 and give them an opportunity to participate in the proceedings. The first respondent shall pass final orders within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the objection dated 28.09.2019 and also a copy of this order.

5.This writ petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are also closed.

-s/d-
Assistant Registrar(CS-)

True Copy

Sub-Assistant Registrar

To

1.The Tahsildar,
Madukarai Taluk Office,
Madukarai,
Coimbatore.

2.The Government Pleader,
High Court, Madras.

+1 cc to Government Pleader,sr.26117.

Mg(co)
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