

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.11738 of 2020
and W.M.P.No.14430 of 2020

R.Mohan Ranganathan

... Petitioner

Vs.

1. The Commissioner,
Revenue Administration,
Chepauk, Chennai - 600 005.
2. The Assistant Commissioner - II,
O/o The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Salem District, Salem - 636 001.
4. The District Revenue Officer (DRO),
Salem District, Salem - 636 001.
5. The Revenue Divisional Officer (RDO),
Attur, Salem District - 636 102.
6. The Tahsildar,
Attur Taluk,
Attur, Salem District - 636 102.
7. The Sub Registrar,
Attur Town,
Attur, Salem District - 636 102.
8. The Settlement Tahsildar,
Attur Town Taluk Office,
Attur, Salem District - 636 102.
9. The Assistant Settlement Officer - North,
Survey Settlement Office,
Chepauk, Chennai - 600 005.
10. The Special Officer,
Survey and Settlement Office,
3rd Floor, Chepauk, Chennai - 600 005.

11. The Additional Superintendent of Police,
Head Quarters,
Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
Chennai - 600 016.

12. The Inspector of Vigilance
and Anti Corruption,
No.53, Omalur Main Road,
Arthanari Nagar, Swarnapuri,
Salem - 636 016.

13.A.K.Prakash

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of certiorarified mandamus to call for the records relating to the enquiry summons in File No.1366/2020/A3 dated 14.08.2020 on the file of the 5th respondent - the Revenue Divisional Officer, Attur and quash the same as illegal and consequently directing the 5th respondent - Revenue Divisional Officer, Attur, to issue the summons afresh to the petitioner and to the 13th respondent herein after affording the reasonable time to participate for the same.

For Petitioner : Mrs.K.Aswini Devi

For Respondents: Ms.A.Madhumathi,
Special Government Pleader (R1 to R12)
Mr.K.M.Vivekanandan (R13)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of certiorarified mandamus to call for the records relating to the enquiry summons dated 14.08.2020 on the file of the 5th respondent - the Revenue Divisional Officer, Attur and to quash the same and consequently directing the 5th respondent - Revenue Divisional Officer, Attur, to issue summons afresh to the petitioner and to the 13th respondent after affording the reasonable time to participate in the enquiry.

2.When the Writ Petition is taken up for hearing, Mrs.K.Aswini Devi, learned counsel appearing for the petitioner and Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 to 12 submitted that pursuant to the orders of this Court dated 03.09.2020, the 5th respondent issued fresh notice to the parties and conducted enquiry and also passed an order on 08.10.2020.

3.Mrs.K.Aswini Devi, learned counsel appearing for the petitioner submitted that the 5th respondent had passed the order without following the Circular and therefore, liberty may be given to the petitioner to challenge the order dated 08.10.2020 passed by the 5th respondent.

4.Since the 5th respondent had issued notice to the parties and conducted the enquiry and passed an order on 08.10.2020, the prayer sought for in the Writ Petition has become infructuous. In the case of the petitioner aggrieved over the order dated 08.10.2020 passed by the 5th respondent, it is always open to the petitioner to challenge the same in accordance with law.

5.With these observations, the Writ Petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner,
Revenue Administration,
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O/o The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
- 3.The District Collector,
Salem District, Salem - 636 001.
- 4.The District Revenue Officer (DRO),
Salem District, Salem - 636 001.
- 5.The Revenue Divisional Officer (RDO),
Attur, Salem District - 636 102.
- 6.The Tahsildar, Attur Taluk,
Attur, Salem District - 636 102.
- 7.The Sub Registrar, Attur Town,
Attur, Salem District - 636 102.

8.The Settlement Tahsildar,
Attur Town Taluk Office,
Attur, Salem District - 636 102.

9.The Assistant Settlement Officer - North,
Survey Settlement Office,
Chepauk, Chennai - 600 005.

10.The Special Officer,
Survey and Settlement Office,
3rd Floor, Chepauk, Chennai - 600 005.

11.The Additional Superintendent of Police,
Head Quarters, Vigilance and Anti Corruption,
No.293, MKN Road, Alandur, Chennai - 600 016.

12.The Inspector of Vigilance
and Anti Corruption,
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Salem - 636 016.

+5ccs to M/s.Aswini Devi, Advocate, Sr.No. 34562

W.P.No.11738 of 2020
and W.M.P.No.14430 of 2020

PP(CO)
RMP(06/11/2020)