

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.16362 of 2020

P.Sundhari

...Petitioner

Vs.

1. The District Collector
The Office of the District Collector
Vellore, Vellore District.
2. The District Adhidraavidar and Tribal Welfare Officer
The Office of the Adhidraavidar and Tribal Welfare Officer
Vellore, Vellore District.
3. The Special Tahsildar (Adidraavidar Welfare)
Office of the Special Tahsildar (Adidraavidar Welfare)
Vellore, Vellore District.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents herein to consider the petitioner's representation dated 27.01.2020 and directing third respondent to give a genuineness report as requested by the Sub-Inspector of Police, Land Grabbing Special Cell, Vellore.

For Petitioner : Mr.M.Ganesh
For Respondents : Mr.Aruldoss
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 27.01.2020, wherein the petitioner has sought for a genuineness report from the third respondent to be submitted before the Land Grabbing Special Cell at Vellore.

2. The case of the petitioner is that she is the owner of the subject property and she purchased the same in the year 2010. The further case of the petitioner is that the some third parties, who do not have any right over the property, attempted

to forcibly take possession of the property. The petitioner, therefore, made a complaint before the Land Grabbing Special Cell (LGSC), Vellore and the Investigating Officer in the course of investigation had requested the third respondent to ascertain the genuineness of the original free house site patta No.2 issued by the Special Tahsildar (ADW), Vellore. The further case of the petitioner is that the third respondent issued summons to the parties and also conducted an enquiry on 12.03.2020. The grievance of the petitioner is that the third respondent has not submitted the genuineness report before the concerned Investigating Officer and therefore, there is absolutely no progress in the criminal case. Left with no other option, the present Writ Petition has been filed before this Court.

3. Mr.Aruldoss, learned Government Advocate appearing on behalf of the respondents submitted that the second respondent has already fixed the date for enquiry on 30.11.2020 at 11.00 a.m. The learned counsel submitted that the enquiry will be conducted by the second respondent and the necessary report will be submitted before the Sub-Inspector of Police, Land Grabbing Special Cell (LGSC), Vellore, within the time fixed by this Court.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the second respondent has already called the parties for enquiry, there shall be a direction to the second respondent to conduct the enquiry and submit the report before the Sub-Inspector of Police, Land Grabbing Special Cell (LGSC), Vellore, within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
The Office of the District Collector
Vellore, Vellore District.
2. The District Adhidraavidar and Tribal Welfare Officer
The Office of the Adhidraavidar and Tribal Welfare Officer
Vellore, Vellore District.

3. The Special Tahsildar (Adidraavidar Welfare)
Office of the Special Tahsildar (Adidraavidar Welfare)
Vellore, Vellore District.

+1cc to the Government Pleader, S.R.No.37751

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GP (CO)
RV (18/12/2020)



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