



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.11626 of 2020

K.Vellayan

... Petitioner

Vs.

1.The Land commissioner (Under Land Reforms Act),
Ezhilagam,
Chepauk,
Chennai - 600 005.

2.The Assistant Commissioner of Land Reforms,
Madurai - 20.

3.The Revenue Divisional Officer,
Palani Division,
Palani,
Dindigul District.

4.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

... Respondents

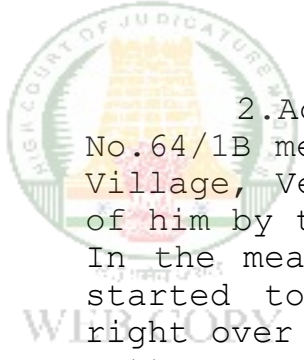
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the third respondent to conduct and complete the enquiry based on the proceedings of the first respondent in Na.Ka.No.A1/1066/2020 dated 26.05.2020 within the time frame stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mrs.V.P.M.Vaishnavi
Government Advocate

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the third respondent to conduct an enquiry and complete the same based on the proceedings of the first respondent in Na.Ka.No.A1/1066/2020 dated 26.05.2020 within the time frame stipulated by this Court.



2. According to the petitioner, the land comprised in Survey No.64/1B measuring an extent of 2.5 acres situated at Nagayankottai Village, Vendasendur Taluk, Dindigul District was assigned in favour of him by the proceedings of the second respondent dated 24.02.1969. In the mean time, one Chellammal, who is the adjacent land owner, started to disturb the possession of the petitioner and claimed right over the above said property. On enquiry, it was revealed that patta was issued in the name of the said Chellammal in the year 1991. Hence, the petitioner sent several representations to the revenue officials to conduct enquiry in this regard and he has also sent a representation dated 11.01.2020 to the first respondent. Subsequently, the first respondent vide proceedings in Na.Ka.No.A1/1066/2020, dated 26.05.2020 directed the third respondent to conduct an enquiry and complete the same as early as possible. Since no action has been taken on the side of the third respondent, the petitioner has filed the present Writ Petition.

3. When the matter is taken up for hearing, the learned Government Advocate appearing for the respondents submitted that based on the proceedings of the first respondent, dated 26.05.2020, the third respondent would conduct enquiry and final orders will be passed, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. In view of the submission made by the learned Government Advocate and also considering the limited scope of the prayer sought for in the Writ Petition, this Court, without expressing any opinion on the merits of the case, directs the third respondent to complete the enquiry and pass final orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner as well as any other interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

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+1 CC to M/s.S. SARVAGAN PRABHU, Advocate (SR-17642[F] dated
22/09/2020)

Order made in
W.P. (MD) No.11626 of 2020
Dated:21.09.2020

ps
SDS (29.09.2020) 3P-6C