



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.09.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.11878 of 2020

M.Ulaganathan

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Madurai District.

2. The District Revenue Officer,
Office of the District Revenue Officer,
Madurai Revenue District, Madurai.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.

4. The Tahsildar,
Vadipatti Taluk, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to expeditiously complete the enquiry relating to the proceedings in Na.Ka.No.G.5/28706/2015 pending on the file of the respondent No.2 in accordance with law.

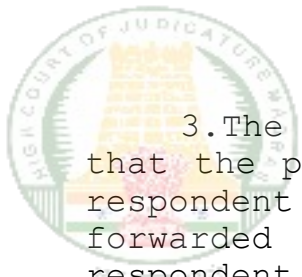
For Petitioner : Mr.R.Alagumani

For Respondents : Mr.C.Ramesh,
Special Government Pleader

ORDER

This writ petition is filed seeking for a direction to direct the second respondent to complete the enquiry relating to the proceedings in Na.Ka.No.G.5/28706/2015 pending on the file of the respondent No.2.

2. Mr.C.Ramesh, learned Special Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.



3.The learned counsel appearing for the petitioner would submit that the petitioner made an application on 25.06.2015 to the first respondent for correction in the UDR patta and the same was forwarded to the second respondent. On 27.08.2018, the second respondent /The District Revenue Officer issued notice in Na.Ka.No.G.5/28706/2015 to the petitioner to appear for enquiry on 04.09.2015 along with documents. Thereafter, again notice in Na.Ka.No.G.5/28706/2015, was issued to the petitioner on 07.04.2016, to appear for enquiry on 22.07.2016. As per notice, the petitioner has appeared before the second respondent. Even on 17.12.2019, summon was issued to the petitioner, to appear for enquiry on 10.01.2019. The petitioner was regularly appearing before the second respondent on several occasions. But sofar, no order has been passed. Hence, the petitioner filed this present writ petition.

4.The learned Special Government Pleader appearing for the respondents would submit that the enquiry would be completed and final order will be passed on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned Special Government Pleader, without expressing any opinion on the merits of the case, this Court is inclined to pass the following direction:-

(i) The second respondent is directed to consider the petitioner's representation dated 25.06.2015, in the light of the enquiry notice in Na.Ka.No.G.5/28706/2015 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the rival parties, if any. If there is any objection from the rival parties, the respondent shall conduct the enquiry and communicate the decision to the parties concerned.

(ii) The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

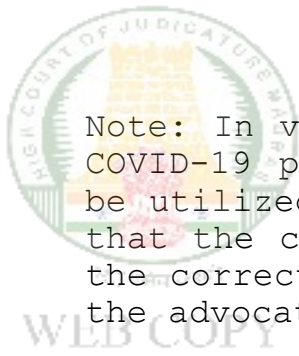
Assistant Registrar (Records)

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/ /2020

Sub Assistant Registrar(CS)

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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

1. The District Collector,
Office of the District Collector,
Madurai District.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Madurai Revenue District, Madurai.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.
4. The Tahsildar,
Vadipatti Taluk,
Madurai District.

+1 CC to the SPL GP (SR-17427[F] dated 18/09/2020)

W.P. (MD) No.11878 of 2020
17.09.2020

AVS (CO)
CS (06.10.2020) 3P 6C