

IN The HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2021

CORAM:

The HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6117 of 2021

N.Thangavel

...Petitioner

-vs-

1. The District Collector,
Collectorate,
Cuddalore District.
2. The District Superintendent of Police,
Cuddalore District.
3. Pugalendhi
4. Jayaraman
5. Srinivasan
6. Sathish
7. A.Karuppan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner representation dated 11.01.2021 for conducting enquiry as against the respondent 3 to 6 and to initiate departmental proceedings as against them.

For Petitioner : Mr.T.Dharani

For R1 and R2 : Mr.P.V.Selvakumar,

Additional Government Pleader

सत्यमेव जयते

O R D E R

This Writ petition is filed, seeking a direction to the 1st respondent to consider and pass orders on the petitioner representation dated 11.01.2021 for conducting enquiry as against the respondent 3 to 6 and to initiate departmental proceedings as against them.

2. According to the petitioner, without notice to him, the property has been vested with other third party and the officials have colluded with those persons and action need to be taken against them.

3. Even though notice and private notice have been ordered on the respondents 3 to 7, service is incomplete as on date. Any how, no notice is necessary for the respondents 3 to 7, as no adverse order is going to be passed against them.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for R1 and R2 and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner has got a remedy under Section 12 of the Tamil Nadu Patta Passbook Act, 1983 to file an appeal within a period of one month from the date of order. He shall also raise objections with regard to the illegalities committed by the officials and the Appellate Authority shall render a finding with regard to receipt of any bribe / any money in consideration by the Tahsildar for the issuance of Patta, after affording an opportunity of hearing to the petitioner and other persons, who are likely to be affected, especially, respondents 3 to 7. If there is any bribe involved, the department shall initiate action against the Government Officials concerned.

6. With the above observation, the Writ petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vum
To

1. The District Collector,
Collectorate,
Cuddalore District.
2. The District Superintendent of Police,
Cuddalore District.

+1 CC to The Government Pleader sr 19348.

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EV(CO)
SP(21/06/2021)