



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 09.08.2021

CORAM:

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.4752 OF 2021

AND

W.M.P.NOS.5360 AND 5363 OF 2021

M.Elavarasi

... Petitioner

..Vs..

1. The Secretary,
Revenue Department,
Secretariat,
St. George Fort,
Chennai - 600 009.
2. The District Collector,
Office of the District Collector,
Villupuram District,
Villupuram.
3. The Tahsildar,
Office of the Taluk Office,
Gingee Taluk 604 202,
Villupuram.
4. The Revenue Inspector,
Office of the Taluk Office,
Gingee Taluk 604 202,
Villupuram.

5. Kala

... Respondents

Prayer :

Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to impugned notice in Na.Ka.A1/33/2021 dated 01.02.2021 issued by the 3rd respondent and quash the same and consequently forbear the 3rd respondent from passing any order altering the extent of land in Survey No.135/11 at Perumpugai Village, Gingee Taluk, Villupuram District.



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For Petitioner : Mr.K.Balaganesh
For Respondents : Mr.K.M.D.Muhilan
Government Advocate for R1 to R4

ORDER

The fifth respondent herein had earlier filed W.P.No.20367 of 2020 and the same had been disposed of on 05.01.2021 wherein a learned Single Judge had directed the respondents therein to dispose of a representation given by the said fifth respondent through a speaking order within a period of eight weeks.

2.Accordingly, the third respondent/Tahsildar, Gingee Taluk, Villupuram District had issued a notice to the petitioner herein and also to the fifth respondent to participate in an enquiry.

3.The order in W.P.No.20367 of 2020 did not indicate that the prayer sought in the said writ petition should be granted by the Tahsildar. It depended upon the enquiry conducted. An enquiry can be conducted only on the basis of the representation given by the petitioner and the fifth respondent. Such representation may or may not also include documents and written representation, I am confident that the respondents will consider all these aspects and thereafter pass a considered order.

4.The Writ Petition is dismissed with a direction to the petitioner and the fifth respondent to participate in the enquiry before the third respondent/ Tahsildar, Office of the Taluk Office, Gingee Taluk, Villupuram District and the Tahsildar is directed to proceed with the enquiry and pass a detailed order within a period of 12 weeks from the date of receipt of a copy of particular order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Sgl



To

1. The Secretary,
Revenue Department,
Secretariat, St. George Fort,
Chennai - 600 009.
2. The District Collector,
Office of the District Collector,
Villupuram District, Villupuram.
3. The Tahsildar,
Office of the Taluk Office,
Gingee Taluk 604 202,
Villupuram.
4. The Revenue Inspector,
Office of the Taluk Office,
Gingee Taluk 604 202, Villupuram.

+2cc to M/s.Sri Hari & Associates, Advocate, S.R.No.39568
+1cc to the Government Pleader, S.R.No.39792

W.P.No.4752 of 2021

CS/22/09/2021