

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.19332 of 2020
and WMP.No.23927 of 2020

K.Dhandapani

...

Petitioner

Vs.

1.The District Collector
Office of the Collectorate
Salem.

2.The Revenue Tahsildar
Gangavalli Taluk Office
Gangavalli, Salem.

3.The Executive Officer
Town Panchayat
Gangavalli, Salem District.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider the representation dated 12.06.2018 and to modify FMB in connection with old Survey No.350/3 in Gangavalli Village & Taluk, Salem District, within a reasonable time to be fixed by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.S.N.Parthasarathy
Government Advocate

ORDER

The writ petition is filed seeking a direction to the first respondent to consider the petitioner's representation dated 12.06.2018 and to modify FMB in connection with old Survey No.350/3 in Gangavalli Village & Taluk, Salem District, within a reasonable time fixed by this Court.

2. The petitioner states that he has filed a representation dated 12.06.2018 alleging that his property has been sub-divided without proper enquiry.

3. Heard the learned counsel for the petitioner. Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents and made a statement on instructions that an enquiry on the petitioner's representation is fixed at 11.00 a.m. on 28.01.2021. The said statement is recorded.

4. It would have been appreciable if the Tahsildar had displayed adequate responsibility and had conducted an enquiry in the last 2 ½ years time. This Court is not an engine to propel the Tahsildar to discharge his/her responsibility. The Tahsildar is now informed and reminded about his/her responsibility in this regard.

5. Inasmuch as a date for enquiry is fixed by the respondent, no direction is required to be given except that the second respondent/Revenue Tahsildar is directed to hold an enquiry after issuing notices to all the parties who are likely to be affected by his decision, and after providing the parties a fair and effective hearing and to dispose the matter through a speaking order within a period of eight(8) weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

7. Post the matter for reporting compliance on 08.03.2021.

Sd/-
Asst.Registrar (CS III)

/true copy/ जयते

Sub Asst. Registrar

ds

WEB COPY

To:

1.The District Collector
Office of the Collectorate
Salem.

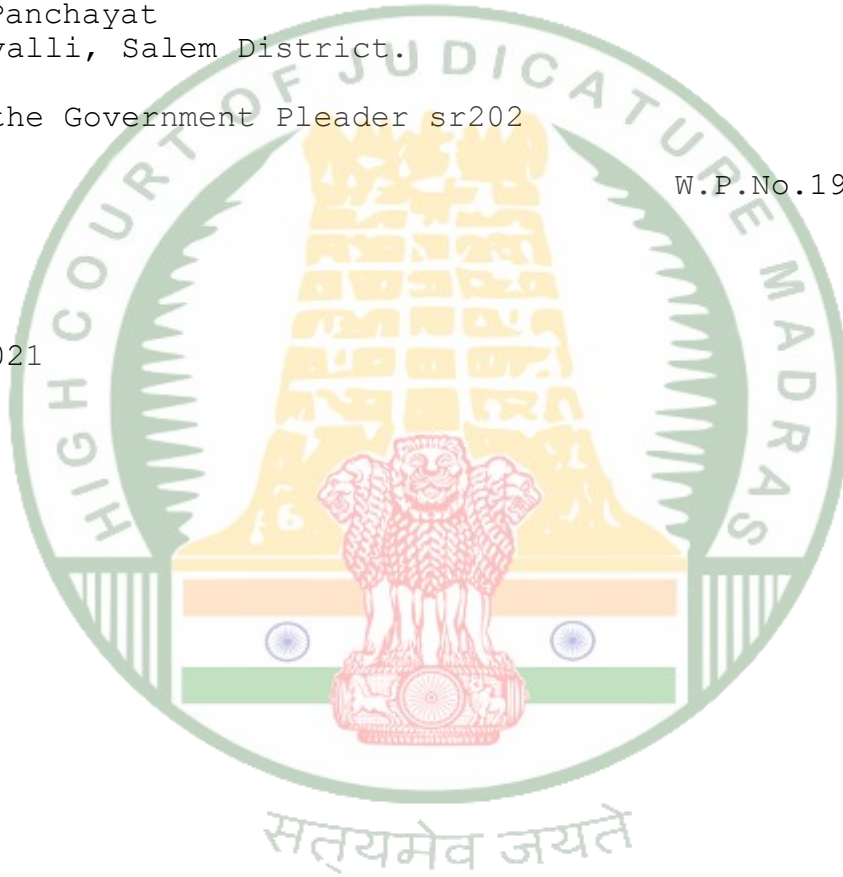
2.The Revenue Tahsildar
Gangavalli Taluk Office
Gangavalli, Salem.

3.The Executive Officer
Town Panchayat
Gangavalli, Salem District.

+1 cc to the Government Pleader sr202

W.P.No.19332 of 2020

jp(co)
aa11/01/2021



WEB COPY