



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2021

CORAM

THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.P.No.14808 of 2021

R.Mohan Ranganathan

...Petitioner

Versus

- 1.The Commissioner,
Revenue Administration,
Chepauk, Chennai -600 005.
- 2.The District Collector,
Salem District, Salem - 636 001.
- 3.The District Revenue Officer,
Salem District, Salem - 636 001.
- 4.The Revenue Divisional Officer,
Attur, Salem District - 636 102.
- 5.The Tahsildar,
Attur Taluk,
Attur, Salem District - 636 102.
- 6.Geethesan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the fourth respondent to issue enquiry summons to the 6th respondent in Na.Ka.No.6067/2020/A1 dated 07.07.2021, as per the earlier enquiry summons issued in the same file to the petitioner and 6th respondent dated 04.01.2021 & 04.02.2021 and conclude the enquiry based on the Circular No.11 of 2017 dated 09.08.2017 issued by the first respondent within a reasonable time that may be fixed by this Court.

For Petitioner : Mrs.K.Asmini Devi

For Respondents 1 to 5 : Mr.G.Krishnaraja,
Government Advocate



O R D E R

The petitioner has come up with this writ petition seeking a mandamus directing the fourth respondent to issue enquiry summons in Na.Ka.No.6067/2020/A1 dated 07.07.2021 to the sixth respondent, as per the earlier summons issued to the petitioner as well as the sixth respondent on 04.01.2021 and 04.02.2021 and conclude the enquiry based on the circular no.11 of 2017 dated 09.08.2017 issued by the first respondent, within a reasonable time that may be fixed by this Court.

2. According to the learned counsel for the petitioner, the fourth respondent, with an intention to protract the proceedings, issued third summons to the petitioner, calling upon him to attend an enquiry scheduled to be held on 20.07.2021 at 11.00am, in connection with the appeal dated 24.12.2020 filed by him challenging the legal heirship certificate issued by the fifth respondent in favour of the sixth respondent. Therefore, the learned counsel prayed that the fourth respondent may be directed to complete the said enquiry, after affording reasonable opportunities to all the necessary parties, in the light of the circular no.11 of 2017 dated 09.08.2017, issued by the first respondent, within a reasonable time to be fixed by this court.

3. Mr. G. Krishnaraja, learned Government Advocate taking notice for the respondents 1 to 5 has no serious objection for granting such relief to the petitioner.

4. Considering the limited relief sought herein and also having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the fourth respondent to complete the enquiry, which is scheduled to be held on 20.07.2021 at 11.00am, after affording an opportunity of personal hearing to the petitioner, sixth respondent as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order. While doing so, the fourth respondent shall take into consideration the circular no.11 of 2017 dated 09.08.2017 issued by the first respondent.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



WEB COPY

- 1.The Commissioner,
Revenue Administration,
Chepauk, Chennai -600 005.
- 2.The District Collector,
Salem District, Salem - 636 001.
- 3.The District Revenue Officer,
Salem District, Salem - 636 001.
- 4.The Revenue Divisional Officer,
Attur, Salem District - 636 102.
- 5.The Tahsildar,
Attur Taluk,
Attur, Salem District - 636 102.

+1cc to the Government Pleader, S.R.No.34308

W.P.No.14808 of 2021

PCH(CO)
SB(03/08/2021)