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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.27071 OF 2021

AND

W.M.P.NOS.28534 AND 28536 OF 2021

R.Sankar

... Petitioner

-Vs-

1. The District Collector,
O/o. The District Collector,
Perambalur District,
Perambalur - 621 219.
2. The Tahsildar,
Perambalur Taluk,
Perambalur District.
3. The Surveyor,
Tahsildar Office Campus,
Perambalur Taluk,
Perambalur District.
4. The Village Administrative Officer,
O/o The Village Administrative Officer,
Esanai Village,
Perambalur Taluk and District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records made in the undated, unsigned impugned order passed by the third respondent, quash the same, consequently forbearing third respondent from measuring, subdivision the properties pending disposal of suits.

For Petitioner : Mr.P.Srinivasan



For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

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ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, to call for the records made in the undated, unsigned impugned order passed by the third respondent, quash the same, consequently forbearing third respondent from measuring, subdivision the properties pending disposal of suits.

2. Heard Mr.P.Srinivasan, learned counsel appearing for the petitioner and Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the respondents.

3. One Renganathan filed a writ petition in W.P.No.19489 of 2021 for direction, directing the second respondent to consider the representation dated 28.08.2021 to measure the land comprised in Survey Nos.234/10A, 311/1, 314/1, 339/3, 337/2 and 337/4, Esanai Village, Perambalur Taluk and District. This Court by an order dated 15.09.2021, directed the second respondent to consider the request and pass appropriate orders within a period of twelve weeks.

4. On receipt of the order as directed by this Court, the second respondent issued notice to the petitioner to conduct an enquiry on the request made by the said Renganathan. The petitioner challenged the same in this writ petition without impleading the said Renganathan as a party. However, it is only a notice issued by the second respondent for conducting an enquiry.

5. Therefore, this Court finds no infirmity or illegality in the notice issued by the second respondent. The writ petition is devoid of merits and is liable to be dismissed. However, the petitioner is permitted to produce all the relevant documents in respect of his contention along with his explanation before the second respondent during the enquiry. On receipt of the same, the second respondent is directed to conduct an enquiry, after giving an opportunity of hearing to the petitioner, pass orders on merits and in accordance with law, as directed by this Court in W.P.No.19489 of 2021, dated 15.09.2021.



6. In view of the above, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
O/o. The District Collector,
Perambalur District,
Perambalur - 621 219.
2. The Tahsildar,
Perambalur Taluk,
Perambalur District.
3. The Surveyor,
Tahsildar Office Campus,
Perambalur Taluk,
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4. The Village Administrative Officer,
O/o. The Village Administrative Officer,
Esanai Village,
Perambalur Taluk and District.

+1cc to Mr.P.Srinivasan, Advocate, S.R.No.68260

+1cc to the Government Pleader, S.R.No.68703

W.P.NO.27071 OF 2021 AND
W.M.P.NOS.28534 AND 28536 OF 2021

SR(CO)
PBS/06/01/2022