



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.01.2021**

CORAM

THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

W.P. (MD) No.582 of 2021

WEB COPY

Murugan

... Petitioner

Vs

1.The District Revenue Officer,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi District,
Tenkasi.

3.The Tahsildar,
Veerakeralampudur Taluk,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent herein to pass orders on the basis of enquiry conducted by him dated 15.09.2020, within a time frame fixed by this Court.

For Petitioner : Mr.J.C.Rathnavel Pandian
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

According to the petitioner, in respect of the property in S.Nos.1023/5C, 1026/C, 1026/4 and 1026/5, some persons have created forged documents with the assistance of the 3rd respondent and in regard to the same, the petitioner has approached this Court in W.P. (MD) No.14856 of 2018. The writ petition was disposed of by the learned Judge of this Court on 11.07.2018 as under:-

"5.In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 11.01.2018 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to the respondents 3 to 5 and any other persons who may be interested in the subject matter."



2. In pursuance of the direction of this Court, dated 11.07.2018, notice for enquiry was ordered by the 2nd respondent on 15.09.2020.

3. According to the petitioner, the civil proceedings are also pending between the parties in regard to the title dispute. Though the enquiry was conducted on 15.09.2020, there was no action forthcoming. In the circumstances, the petitioner has submitted a representation on 26.12.2020 to the respondents. Since nothing appears to have been taken in place, the petitioner is before this Court.

4. The petitioner, in this case, has already approached this Court and prayed a direction that the authority must pass orders within a period of six weeks. The order was passed by this Court on 11.07.2018 and the operative portion of the order is also extracted supra. When already the petitioner has obtained a direction from this Court and the authority had acted upon, in pursuance of which, notice for enquiry was ordered on 15.09.2020, the question of issuing yet another direction on the same issue does not arise at all.

5. Therefore, this Court finds that there is absolutely no necessity for the petitioner to come up with this second writ petition seeking a direction from this Court to direct the 2nd respondent herein to pass orders on the basis of enquiry conducted by him dated 15.09.2020. This Court is of the considered view that any subsequent adverse action to be taken by the 2nd respondent, it is always open to the petitioner to approach this Court to workout his remedies. It is certainly not open to the petitioner to file another writ petition as such attempt of the petitioner would only, needlessly, multiply the litigations before this Court in regard to the same dispute.

6. Accordingly, this Court is of the view that this Writ Petition has been needlessly filed and hence, the same cannot be entertained and therefore, it stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.The District Revenue Officer,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi District,
Tenkasi.

3.The Tahsildar,
Veerakeralampudur Taluk,
Tenkasi District.

+1 CC to GP (SR-1418[F] dated 20/01/2021)

W.P. (MD) No.582 of 2021

19.01.2021

(ES)

KV(18.02.2021) 3P 5C