



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.16067 of 2021

WEB COPY

R.Hariramakrishnan

... Petitioner

Vs.

1. The Tahsildar,
Kovilpatti Taluk,
Kovilpatti.

2. The Executive Officer,
Arulmigu Kazhukasalam Moorthi Thirukovil,
Kazhukumalai,
Kovilpatti Taluk,
Tuticorin District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to complete the enquiry as per the enquiry notice issued in proceedings No.A2/1083/2021 dated 16.02.2021 within the time frame fixed by this Court.

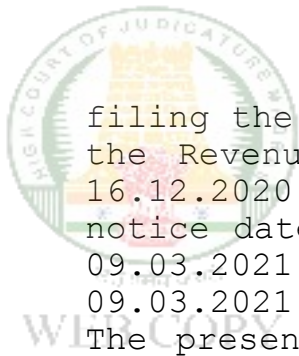
For Petitioner	: Mr.R.Murali
For Respondents	: Mr.P.Subbaraj, Counsel for State for R1 Mr.B.Gurushankar for R2

O R D E R

The petitioner seeks the expeditious conclusion of the inquiry instituted under proceedings bearing No.A2/1083/2021.

2. The petitioner states that he purchased the property bearing Survey No.82/6 of an extent of 740.38 square metres at Kazhukumalai Village, Kovilpatti Taluk, Tuticorin District along with right of pathway in Natham Survey No.82/9 through a registered sale deed dated 02.07.2008. According to the petitioner, Patta No.69 has been issued in respect of the above mentioned property in the name of Vengadasamy Naicker, the father of the petitioner's vendor. However, it appears that the second respondent temple is currently shown as the pattadar in respect of the relevant property.

3. With a view to rectify the above mentioned discrepancy, the petitioner approached the Revenue Divisional Officer, Kovilpatti by



filing the petition dated 09.12.2020. Such petition was forwarded by the Revenue Divisional Officer to the first respondent herein on 16.12.2020 with a direction to inquire into the same. An inquiry notice dated 16.02.2021 was issued by fixing the date of inquiry as 09.03.2021. The petitioner states that he attended the inquiry on 09.03.2021 but that such inquiry has not been concluded till date. The present writ petition is filed in view of the failure of the respondent to conclude such inquiry.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the first respondent and Mr.B.Gurushankar, learned counsel, accepts notice on behalf of the second respondent.

5. In view of the fact that an inquiry notice was issued on 16.02.2021, it is not necessary to delve into the merits of the matter. Accordingly, without going into the merits of the matter, the first respondent is directed to proceed with and conclude the inquiry in proceedings No. A2/1083/2021 within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and the second respondent herein.

6. W.P(MD).No.16067 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

1. The Tahsildar,
Kovilpatti Taluk, Kovilpatti.

2. The Executive Officer,
Arulmigu Kazhukasalam Moorthi Thirukovil,
Kazhukumalai, Kovilpatti Taluk, Tuticorin District.

+1 CC to M/s.R.MURALI, Advocate (SR-28849[F] dated 13/09/2021)

+1 CC to M/s.GP (SR-28701[F] dated 09/09/2021)

W.P. (MD)No.16067 of 2021

08.09.2021

RD(16.09.2021) 2P 5C