



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17771 of 2021

Sundari

... Petitioner

Vs.

1.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

2.Sudalaimuthu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to conclude the enquiry as per the enquiry notice dated 02.11.2020 in Na.Ka.Aa7/3260/2020 and survey and subdivide the property in S.No.853/2, Samugarengapuram Village, Radhapuram Taluk, Tirunelveli District within a time frame that may be stipulated by this Court.

For Petitioner : Mr.T.R.Jeyapalam
For R1 : Mr.P.Subbaraj
Counsel for State

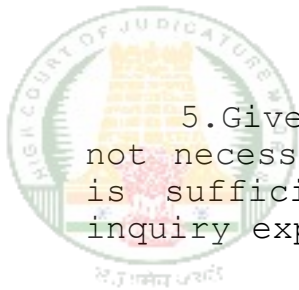
ORDER

The petitioner seeks the early conclusion of an inquiry instituted by inquiry notice dated 02.11.2020 with regard to her request for a survey of the property bearing S.No.853/2 at Samugarengapuram Village, Radhapuram Taluk, Tirunelveli District.

2.The petitioner claims title to the above mentioned property through her husband. The petitioner states that her husband executed a settlement deed in her favour under Document No.834 of 2019.

3.Subsequently, the petitioner submitted an application dated 03.08.2020 to the first respondent to undertake a survey and subdivide the property. In view of the objections raised in such regard by the second respondent, it is stated that an inquiry notice was issued on 02.11.2020. The present writ petition is filed seeking the early conclusion of such inquiry.

4.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the first respondent. He submits that the first respondent may be directed to conclude the inquiry within a reasonable time frame after putting the second respondent on notice.



5. Given the limited scope of the present writ petition, it is not necessary to enter findings on the merits thereof. Instead, it is sufficient to direct the second respondent to conclude the inquiry expeditiously.

6. Accordingly, the first respondent is directed to proceed with and conclude the inquiry instituted by inquiry notice dated 02.11.2020 in Na.Ka.Aa7/3260/2020 within a period of three (3) 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.

7. W.P(MD).No.17771 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)

sn/sji

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-30944[F] dated 01/10/2021)

+1 CC to M/s.SPL.GP (SR-31002[F] dated 04/10/2021)

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SE (CO)/RS (11.10.2021) 2P 4C