



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.04.2022
CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10266 of 2022

S.Thamaraiselvan

...Petitioner

vs.

1. The Revenue Divisional Officer,
Thiruthani Taluk,
Thiruvallur District.

2. The Tahsildar,
Thiruthani Taluk,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to dispose off petitioner appeal dated 01.07.2019 within a time limit as framed by this Hon'ble Court.

For Petitioner : Mr.M.Selva Lingam

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed seeking for an issuance of a writ of Mandamus to direct the 1st respondent to dispose of the petitioner's application dated 01.07.2019 within a time limit to be fixed by this Court.

2. The case of the petitioner is that he is the owner of the property in S.No.184/7 ad-measuring extent of 36 cents situated at Kaverirajapuram Village, Thiruthani Taluk, Thiruvallur District and all the Revenue records including patta was mutated in his favour. Thereafter, the adjacent land at S.No.184/8 originally belongs to one Mahadevan Iyer and Janaki, who had purchased the same from their vendors. When that being so, the very same property in S.No.184/8 was unilaterally sold to one Manoharan by the power agent one I.V.Singam and the same was purchased by one Baskaran and obtained patta in his favour. In order to



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grab the petitioner's property, said Baskar was giving trouble to the petitioner. While so, the petitioner filed an application before the 1st respondent dated 01.07.2019 to cancel the patta issued in favour of said Baskaran. By suppressing the above facts the said Baskaran filed Writ Petition in W.P.No.18873 of 2020 dated 15.12.2020, where this Court issued direction to the respondent / Tahsildar therein to conclude the enquiry within a period of four weeks, pursuant to which the respondents issued enquiry notice to the petitioner and said Baskaran on 15.02.2021 and 06.10.2021 directing them to appear for further enquiry on 26.10.2021. However, till date the enquiry was not concluded. Hence, the petitioner has filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to conclude the enquiry notice dated 15.02.2021 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the 2nd respondent to conclude the enquiry pursuant to the notice dated 15.02.2021, on the basis of the order in W.P.No.18873 of 2020 dated 15.12.2020 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the petitioner in W.P.No.18873 of 2020 and others, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar



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To

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1. The Revenue Divisional Officer,
Thiruthani Taluk,
Thiruvallur District.

2. The Tahsildar,
Thiruthani Taluk,
Thiruvallur District.

+1 cc to Mr.M.Selvalingam, Advocate Sr.NO. 29084
+1 cc to Government Pleader Sr.NO. 30437

W.P.No.10266 of 2022

sv(CO)
A.SK(23/05/2022)