



W.P. No.26640 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10/10/2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.26640 of 2022

R.Senthil Kumar

... Petitioner

Vs.

1. The District Registrar, (Administration),
District Registration Office,
Multiple Complex,
Jayankondam Road,
Ariyalur – 621 704.
2. The Tahsildar,
Udaiyarpalayam Taluk Office,
Jayankondam, Ariyalur District.
3. The Village Administration Officer,
T.Palur Village,
Udaiyarpalayam Taluk,
Ariyalur District.
4. The Sub Registrar,
Sub Registration Office,
T.Palur, Udaiyarpalayam Taluk,
Ariyalur District.
5. The Pirka Surveyor,
T.Palur, Majira Land Surveyour,
Jayamkondam, Udaiyarpalayam Taluk,
Ariyalur District.

6. R. Amirdhalingam

<https://www.mhc.tn.gov.in/judis>



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7. A.Arivazhagan

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose the petitioner petition dated 04.05.2022 within the stipulated period of time.

For Petitioner : Mr.R.Subramaniyan

For R1 to R5 : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to dispose of the petitioner's representation dated 04.05.2022 within the stipulated period that may be fixed by this Court.

2. Learned Additional Government Pleader takes notice for official respondents. Since no adverse order is being passed against respondents 6 and 7, notice to respondents 6 and 7 is dispensed with.

3. The case of the petitioner is that the petitioner claims that the sixth respondent, who is the neighbouring owner of petitioner's property obtained forged Patta in his favour with the guise of Village Administrative Officer, wherein the petitioner's property was also included in the said Patta.



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Based on which, the sixth respondent executed a settlement deed dated 16.12.2016 in favour of the seventh respondent. Immediately thereafter, the petitioner made a representation dated 04.05.2022 before the respondents and a reminder letter dated 12.07.2022 before the first respondent to cancel the forged document executed by the sixth respondent, but the same was not considered by the respondents. Hence the present Writ Petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner at the time of arguments submitted that pursuant to the complaint / letter submitted by the petitioner for cancellation of the forged document dated 16.12.2016, the first respondent issued an enquiry notice dated 26.09.2022, directing the petitioner to appear before the first respondent's office on 06.10.2022, however, the said proceedings dated 26.09.2022, was not concluded by the first respondent. Hence, it would suffice if this Court issues a direction to the first respondent to conclude the proceedings dated 26.09.2022 of the first respondent and pass orders on merits within a particular time frame to be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents 1 to 5 has no objection for said order being passed.



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

7. In view of the submission made by the learned counsel appearing for the petitioner, this Court without going into the merits of the case, directs the first respondent to conclude the proceedings dated 26.09.2022 of the first respondent and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as private respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

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

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RAP

Index : Yes / No

Speaking order : Yes / No



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M.DHANDAPANI, J.

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