



W.P.(MD) No.23614 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.23614 of 2022

Ponnaiah

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by the District Collector,
Thoothukudi District, Thoothukudi.

2.The Tahsildar,
Eral Taluk, Eral,
Thoothukudi District.

3.A.Selvi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to complete the enquiry on the

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WEB COPY basis of the summon via proceedings in A1/1555/2020 dated 11.08.2021 and pass final orders within the time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For R1 and R2 : Mr.P.Thilak KUmar

Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed seeking a direction to the 2nd respondent to complete the enquiry on the basis of the enquiry notice in No.A1/1555/2020, dated 11.08.2021 issued to the petitioner by the 2nd respondent and pass final orders within a time frame.

2.Alleging that the 3rd respondent and her son have encroached the Government Poramboke lands in S.Nos.930/10 and 930/11, the petitioner has sent a representation date 12.07.2021 to the 1st respondent. Based on the said representation, the 2nd respondent issued the aforesaid enquiry notice dated 11.08.2021, to the petitioner to attend the enquiry in this regard and the petitioner also attended the enquiry. However, till date, no final order is passed by the respondents. Hence, this Writ Petition.

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3.Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 and 2 has produced a communication of the 2nd respondent addressed to him in No.A1/1555/2021, dated 13.10.2022 and submitted that on the request of the 3rd respondent to produce additional documents, the enquiry is pending.

4.The aforesaid submission and the communication dated 13.10.2022 are not refuted by the learned counsel for the petitioner.

5.Recording the said submission and the communication dated 13.10.2022, this Writ Petition stands disposed of, directing the authorities concerned to complete the enquiry and pass appropriate final orders on merits and in accordance with law, after affording sufficient opportunity to all the parties concerned, within a period of four weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

Myr

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AND

J.SATHYA NARAYANA PRASAD, J.

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To

1.The District Collector,
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