



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.22005 of 2021

S.Vijayalakshmi

... Petitioner

Vs.

1.The State of Tamilnadu,
Represented by its Secretary,
Revenue Department,
Fort St.George,
Chennai-9.

2.The Principal Secretary / Commissioner of
Land Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to conduct the enquiry in furtherance of the suo-motu show cause notice, letter No.G2/628/2016 dated 29.05.2017 issued by the second respondent to the petitioner, considering the explanation submitted on behalf of the petitioner herein on 26.07.2017, within the stipulated time.

For Petitioner	:	Mr.P.Thiagarajan
For Respondents	:	Mr.N.Satheesh Kumar, Additional Government Pleader.

ORDER

Heard Mr.P.Thiagarajan, learned counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader who takes notice on behalf of the respondents.

2. The Writ Petition has been filed in the nature of Mandamus seeking a direction to the second respondent, the Principal Secretary / Commissioner of Land Administration, Chennai, to conduct an inquiry pursuant to a Show Cause Notice issued in Letter No.G2/628/2016 dated 29.05.2017 to the petitioner among others, considering the explanation given by the petitioner on 26.07.2017.



3. It appears that the Show Cause Notice dated 29.05.2017 had been issued to four other individuals quite apart from the petitioner herein. It is entirely within the jurisdiction of the second respondent to come to a subjective satisfaction on receiving necessary explanations from the said individuals to whom the notice had been issued. It is also a duty cast on those individuals to submit explanations and participate in the inquiry.

4. I am not deliberately entering into a discussion on facts, though Mr.N.Satheesh Kumar, learned Additional Government Pleader made an outline of the facts, since this is an issue which can only be settled by the second respondent during the course of inquiry.

5. A direction is given to the second respondent to once again issue notice to all individuals concerned and receive necessary explanations and after explanations are received, from that date onwards, or when it becomes evident that anyone, of the individuals to whom the notice had been issued, is not interested in giving any explanation, from that date onwards, when actual arguments in the inquiry commences, to complete the inquiry and pass orders within a period of sixteen (16) weeks.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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

1.The Secretary,
State of Tamilnadu,
Revenue Department,
Fort St.George, Chennai-9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Principal Secretary / Commissioner of
Land Administration,
Ezhilagam,
Chepauk,
Chennai - 600 005.

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-1656[F] dated
19/01/2022)

+1 CC to M/s.SPL.GP (SR-1731[F] dated 19/01/2022)

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NSN(CO)
TR(02.02.2022) 3P 5C