



W.P. No.3989 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.3989 of 2023

P.Subramani

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Tiruchengode, Namakkal District.

2.The Tahsildar,
Komrapalayam Taluk,
Namakkal District.

3.Palanisamy @ Palaniappa Gounder,

4.Pappathi @ Sellammal

5.Arunachalam

6.Deivanai

7.Chinnaiyan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to complete the enquiry initiated by his proceedings in Na.Ka.3531/2021/Oo dated 13.01.2022 based on the representation of the petitioner dated 02.11.2021.

For Petitioner : Mr.B.Jawahar

For Respondents : Mrs.Akila Rajendran

Government Advocate for R1 & R2



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ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to complete the enquiry initiated by his proceedings in Na.Ka.3531/2021/Oo dated 13.01.2022 based on the representation of the petitioner dated 02.11.2021.

2. In respect of property at Survey No.141/1B, 141/1D, 154/2A, 154/4, 154/6, 171/6A situated at Kadachanallur Village, Komarapalayam Taluk, Namakkal District, it is the claim of the petitioner that, sub division has been wrongly made, therefore in order to cancel such sub division made by the revenue authorities, the petitioner had given a representation on 02.11.2021 to the 1st respondent, who also on receipt of the same, issued the summon to the petitioner and the private respondents and conducted an enquiry on 24.01.2022, thereafter nothing was moved forward as no orders so far has been passed by the 1st respondent, therefore the petitioner has moved the present writ petition.

3. Heard Mr.B.Jawahar, learned counsel appearing for the petitioner and Mrs.Akila Rajendran, learned Government Advocate appearing for respondents 1 and 2. In view of the order going to be



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passed in this writ petition, notice to the private respondents is hereby dispensed with.

4. The learned Government Advocate for the respondents 1 and 2 would submit that, the enquiry has already been over by January 2022 itself, certainly it would have been concluded and if orders have already been passed that would be forwarded to the petitioner, otherwise if no orders have been passed, immediately orders would be passed on merits within a time frame that may be stipulated by this Court.

5. Considering the said submissions made by the learned Government Advocate for the official respondents, this Court is inclined to dispose of this writ petition with the following orders:

There shall be a direction to the 1st respondent to verify whether orders have been passed on the said representation submitted by the petitioner pursuant to the enquiry made sometime in January 2022 on the plea of the petitioner and if orders are passed, a copy of the same can be forwarded to the petitioner and if no orders so far have been passed, the 1st respondent shall pass orders on the said



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representation of the petitioner and in this regard if further enquiry is to be conducted by giving an opportunity of being heard to both the petitioner as well as the private respondents only thereafter pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

13.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1.The Revenue Divisional Officer,
Tiruchengode, Namakkal District.

2.The Tahsildar,
Komrapalayam Taluk,
Namakkal District.



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R.SURESH KUMAR, J.

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