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W.P.No.19266 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.19266 of 2023

Royal Beach Enclave Owners Association
Rep.by its Secretary
Mr.Nusarath Shariff
No.112 (Old.No.9)
Sardar Patel Road
Adyar
Chennai - 600 020.

...Petitioner

Vs.

- 1.The District Collector
Chengalpet District
Chengalpet - 603 001.
- 2.The Sub-Collector
Revenue Divisional Officer
Chengalpet Revenue Division
Chengalpet 603 001.
- 3.The Tahsildar
Thiruporur Taluk
Thiruporur
Chengalpet District 603 105.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus, directing the first respondent to pass final



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orders pursuant to the enquiry notice in Na.Ka.No.2149/2018/A4 dated 03.06.2022 and enquiry held on 07.06.2022 in due compliance of the directions given by this Court in W.P.No.42490 of 2016 dated 21.03.2017.

For Petitioner : Mr.V.Chandrababu

For Respondents : Mrs.S.Anitha
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the first respondent to pass final orders pursuant to the enquiry notice in Na.Ka.No.2149/2018/A4 dated 03.06.2022.

2. According to the petitioner herein, the members of the petitioner association own plots in land comprised in S.Nos.87/3 and 92/2 in Kanathur Reddy Kuppam Village, Chengalpet District. The compound wall of their property was illegally demolished on 16.11.2015 by the Villagers of Kanathur Reddy Kuppam who live in adjoining survey No.91/2B1. The said act of the Villagers was informed to the then Collector Kancheepuram and other Revenue Authorities.



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3. One of the Villagers namely Mr.Arumugam had earlier filed a Writ Petition in W.P.No.42490 of 2016 seeking directions to the Revenue Officials and also the petitioner association not to rebuild the damaged compound wall. The said Writ Petition was disposed of by this Court on 21.03.2017 directing the first respondent (District Collector) to conduct an enquiry into the issue raised in the Writ Petition after giving an opportunity of hearing to all the parties concerned.

4. Originally the Village of Kanathur Reddy Kupam was a part of Revenue District Kancheepuram and after bifurcation of the District during the year 2019, now the said Village is within the newly formed Revenue District Chengalpattu. Therefore, as per the directions given by this Court in earlier Writ Petition in W.P.No.42490 of 2016, the first respondent herein has conducted an enquiry.

5. It is also stated by the petitioner that the first respondent conducted enquiry on 07.06.2022, but even after lapse of nearly a year no final orders have been passed. Aggrieved by the same, the petitioner has come before this Court.



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6. Having regard to the limited prayer made in this Writ Petition, this Court directs the first respondent/District Collector to complete the enquiry and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

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

03.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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S.SOUNTHAR, J.
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