



WEB COPY

W.P. No.27565 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.27565 of 2023

A.Ganeshsundhar

... Petitioner

Vs.

1. The Principal Secretary
Revenue and Disaster Management Department
Secretariat, Fort St. George
Chennai - 600 009
2. The Commissioner of Land Administration
Land Administration Department
Ezhilagam, Chepauk
Chennai - 600 005
3. The District Collector
Main Building
Collectorate, Dharmapuri - 636 705
4. The District Revenue Officer
Collectorate, Dharmapuri - 636 705
5. The Revenue Divisional Officer
Salem Bypass
Periyar Nagar, Harur
Dharmapuri - 636 903
6. The Tahsildar
5th TVK Nagar Road,
Anna Nagar, Pappireddipatti
Dharmapuri - 636 905

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the 2nd and 4th respondents to issue patta in favour of the petitioner in the light of the enquiry report submitted by the 5th respondent in Na.Ka.No.1821/2017/(அ2) dated 05.09.2018 within the time stipulated by this Court.

For Petitioner : Mr.G.Thiyagarajan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd and 4th respondents to issue patta in favour of the petitioner in the light of the enquiry report submitted by the 5th respondent in Na.Ka.No.1821/2017/(அ2), dated 05.09.2018, within the time stipulated by this Court.

2. The learned counsel for the petitioner submitted that earlier the petitioner made a representation to the 6th respondent in March 2017 for issuance of Patta. The 6th respondent forwarded the same to the 5th respondent for enquiry. Subsequently, the 5th respondent conducted enquiry and submitted enquiry report with a recommendation for issuance of Patta in



favour of the petitioner to the 4th respondent. Again the petitioner made a representation to the respondents for issuance of patta in respect of the subject property in the light of the enquiry report of the 5th respondent dated 10.07.2023. The 2nd respondent gave a direction to the 4th respondent to conduct enquiry and send reply to the petitioner. But so far, the 4th respondent has not taken any action. Therefore, the present writ petition is filed.

3. The respondents have filed counter. However, they have not conducted enquiry and filed a report.

4. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents 4 to 6 to conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, after giving notice and opportunity of hearing to the petitioner and interested parties/rival claimants if any, within a period of two months from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. There



shall be no order as to costs.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To

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P.VELMURUGAN. J.

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