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Writ Petition No.5835 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5835 of 2023

Karuppiah
S/o.Thennan

... Petitioner

-Vs-

1.The District Collector,
District Collector's Office,
Perambalur, Perambalur District.

2.The District Revenue Officer,
District Collector's Office,
Perambalur, Perambalur District.

3.The Revenue Divisional Officer,
Perambalur, Perambalur District.

4.The Tahsildar,
Perambalur Taluk,
Perambalur District.

5.Duraisamy
S/o.Thennan

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to dispose of petitioner's representation dated nil submitted to the District Collector in Nov'2017.



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For Petitioner : Mr.P.N.George Graham
for M/s.Devadason and Sagar
For Respondents : Mrs.N.Senthilselvi
Government Advocate [R1 to R4]
NDW [R5]

ORDER

The prayer sought for herein is for a writ of mandamus directing the third respondent to dispose of petitioner's representation dated nil submitted to the District Collector in Nov'2017.

2. The petitioner has given a representation in the year 2017 to the first respondent District Collector to rectify the alleged mistake said to have been committed in the UDR survey in respect of the land at New S.No.171/3, Old S.o.285/3 at Melapuliyur Village, Perambalur Taluk and District.

3. Pursuant to the said representation given by the petitioner, the first respondent has issued summon on 06.12.2017 and some enquiry was conducted and thereafter, nothing was forthcoming and no progress has been shown, despite the petitioner has sent reminders in the year 2020



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and 2021. Therefore, in order to complete the enquiry and to pass orders on the representation given by the petitioner in the year 2017, seeking direction to the first respondent i.e., District Collector, the present writ petition has been field.

4. Heard Mr.P.N.George Graham, learned counsel appearing for the petitioner, who having reiterated the aforesaid would seek indulgence of this Court.

5. Heard Mrs.N.Senthil Selvi, learned Government Advocate appearing for the respondents 1 to 4 and in view of the order going to be passed in this writ petition notice to the fifth respondent is hereby dispensed with.

6. Learned Government Advocate appearing for the official respondents would submit that the representation given by the petitioner in the year 2017 having been entertained, since enquiry was conducted and in this regard, summon had been issued on 06.12.2017, thereafter, if at all no orders have been passed by the first respondent and the file is



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still pending at the office of the second respondent, it would be looked into and after giving an opportunity of being heard to both the petitioner as well as the fifth respondent, the first respondent District Collector would pass orders thereon on merits and in accordance with law within a time frame that may be stipulated by this Court.

7. Considering the said submission made by the learned Government Advocate appearing for the respondents, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the first respondent District Collector to complete the enquiry, if it is not already completed on the representation given by the petitioner as stated supra in the year 2017 and after giving an opportunity of being heard as a fresh opportunity to both the petitioner as well as the fifth respondent, necessary orders on merits shall be passed by the first respondent within a period of eight(8) weeks from the date of receipt of a copy of this order.



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WEB COPY With these directions, this writ petition is disposed of. No costs.

27.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

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R. SURESH KUMAR, J.

mp

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