



W.P(MD)No.24585 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.24585 of 2022
and WMP(MD)No.18660 of 2022

P.Rajapandi

... Petitioner

Vs

1. The District Revenue Officer,
Dindigul, Collectorate Premises,
Dindigul District.

2. R.Balan

3. Sangeetha

4. Renganayaki

5. Balusamy

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the 1st respondent to permit the petitioner to adduce the documentary evidence on the petitioner side along with the petitioner oral and written arguments in the revision case pending before the 1st respondent in Na.Ka.No. 10919/2011/Aa4/ dated 8.11.2019.



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For Petitioner	:Mr.C.M.Arumugam
For R1	:Mr.J.Ashok Additional Government Pleader
For R2-R5	:Mr.S.Sugumar

ORDER

The writ petition has been filed complaining that the first respondent had not permitted the petitioner to adduce documentary evidence and therefore, a mandamus is sought seeking such permission.

2.However it is stated by the learned counsel for the respondents 2 to 5 that the petitioner has not deliberately participated in the enquiry conducted by the first respondent in the revision filed by the petitioner. It is stated that out of frustration, the first respondent had reserved the matters on 19.10.2022. On that date the petitioner had stated that he should be granted permission to adduce oral and documentary evidence.

3.The petitioner should realise that he should co-operate during the enquiry. The principles of natural justice cannot be stretched beyond a particular limit.



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4.Be that as it may, the first respondent may once again fix the hearing date for the said revision case on **15.05.2023**. The petitioner and the respondents No. 2 to 5 should appear before the first respondent on 15.05.2023. On that particular date, the petitioner should furnish the list of documents and the list of witnesses, whom he wants to examine. The petitioner may also realise that the first respondent cannot convert himself as a civil Court and only summary enquiry can be conducted by the first respondent. The documents may be presented and a brief statement may be given by the witnesses. The first respondent may endeavour to post the enquiry on every alternative days from 15.05.2023 and keep on posting the matter upto 10 such hearings, within which time, the petitioner should produce both oral and documentary evidence. The hearing dates can stretch from 15.05.2023 to an outer level of 09.06.2023 and the enquiry should be completed and reserved for orders. Thereafter, the first respondent may examine the records and pass necessary orders. The order of the Court would bind the petitioner and the respondents 2 to 5 and also the first respondent.



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5.It is also stated that there was an earlier direction was given to complete the enquiry, within a period of eight weeks. In view of the present writ petition and the nature of relief sought, the present order is passed. At any rate by 09.06.2023, the enquiry should be completed and thereafter, orders should be passed by the first respondent in the revision case filed by the petitioner.

6.With the above directions, this writ petition stands disposed.
No costs. Consequently, connected miscellaneous petition is closed.

20.04.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No
PNM

To
The District Revenue Officer,
Dindigul, Collectorate Premises,
Dindigul District.



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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