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W.P. No. 3195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 3195 of 2024

Saraswathi

... Petitioner

-VS-

1. The Revenue Divisional Officer,
Virudhachalam Sub Division,
Cuddalore District.

2. Thirumathi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to complete the enquiry in Na. Ka. A4/2737/2023 dated 16.08.2023 pending on the file of Revenue Division Officer, Virudhachalam Sub Division, Cuddalore District within a time fixed by this Court in accordance with law.

For Petitioner : Mr. M.Velmurugan

For Respondent : Mr. S.J.Mohamed Sathik,
Government Advocate (for R1)



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ORDER

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Heard Mr. M.Velmurugan, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate, who takes notice for the First Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Second Respondent, notice to her is dispensed with.

3. The Writ Petition has been filed for directing the First Respondent to complete the enquiry in the application in Na. Ka. No. A4/2737/2023 dated 16.08.2023 within a time frame that may be fixed by the Court.

4. In response, Learned Government Advocate appearing for the First Respondent, on instructions, that the next hearing in the aforesaid application has been fixed on 28.02.2024 and the First Respondent has filed a memo dated 16.02.2024 stating as follows:-



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“2. *It is submitted that the First Respondent had issued a notice to both the Petitioner and the Second Respondent, and subsequently conducted an enquiry on 22.08.2023. However, it is pertinent to mention that the Second Respondent was not present during the aforementioned enquiry.*

3. *It is submitted that the First Respondent is seeking 12 weeks time to consider the Petitioner's representation and dispose the representation dated 14.08.2023 filed by the Writ Petitioner. Hence filing this memo.”*

5. In such circumstances, it shall be incumbent upon the First Respondent to send due notice to the Petitioner, the Second Respondent and all other persons concerned to attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and ensure that there are atleast two effective hearing every month showing progress of the case. After affording full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, the First Respondent shall deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision



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taken to them under written acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

16.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 21.02.2024.

vjt

To

The Revenue Divisional Officer,
Virudhachalam Sub Division,
Cuddalore District.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.
2. Saraswathi,
W/o. Thangavel,
Mela Theru,
Melur Village,
Thittagudi Taluk,
Cuddalore District.



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3. Thirumathi,
W/o. Aasirvatham,
Mela Theru,
Melur Village,
Thittagudi Taluk,
Cuddalore District.



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P.D. AUDIKESAVALU, J.

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