



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6511 of 2024

S.Siva

... Petitioner

Vs.

1. The District Collector
Tiruvannamalai District

2. The Revenue Divisional Officer
Tiruvannamalai District

3. The Tahsildar
Chengam Taluk Office
Tiruvannamalai District

4. Parthipan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to dispose the application No.Aa/4378/2023 dated 12.10.2023 and consider the representation dated 19.12.2023 within a stipulated period as fixed by this Court.

For Petitioner : Mr.V.Elango

For R1 to R3 : Mr.T.Arun Kumar
Additional Government Pleader



ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to dispose the application No.Aa/4378/2023 dated 12.10.2023 and consider the representation dated 19.12.2023 within a stipulated period as fixed by this Court.

2. The case of the petitioner is that the 4th respondent had applied for patta in Survey No.11/61 in his name by encroaching the petitioner's property. On 12.10.2023, the Tahsildar/3rd respondent conducted enquiry with the petitioner and forwarded the file No.Aa/4378/2023 to the RDO/2nd respondent and thereafter, the 2nd respondent issued notice to the petitioner for enquiry in which also, the petitioner appeared and submitted his written submissions. However, till date no final order is passed and due to which, the petitioner's application seeking subsidy for Government Green House, has been kept pending by the Village Panchayat authorities. Hence, the present Writ Petition is filed.

3. Mr. T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents 1 to 3. Since no adverse order is being passed against the 4th respondent, notice to the 4th respondent is dispensed with.



4. The main contention of the petitioner is that even after conducting enquiry, so far the respondents have not passed final order.

5. Since the Writ Petition is filed seeking a simple Writ of Mandamus, this Court, without expressing any opinion with regard to the merits of the case, directs the 2nd respondent to issue notice to the petitioner, 4th respondent herein, interested parties/rival claimants/aggrieved parties/objectors if any, as the case may be and conduct enquiry in the manner known to law if, already not conducted and pass orders on merits and in accordance with law if, already not passed, within a period of three months from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

13.03.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



To

1. The District Collector
Tiruvannamalai District

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3. The Tahsildar
Chengam Taluk Office
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P.VELMURUGAN. J.

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