



WEB COPY



WP.No.12252 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.12252 of 2024

1.K.Ganesan
2.K.Balasubramaniam
3.K.Velusamy
4.K.Vanithamani

.. Petitioners

Versus

1.The Revenue Divisional Officer
Jaivabhai School Road, Rayapuram
Tiruppur

2.The Revenue Divisional Officer
Huzur Road, Gopalapuram
Coimbatore

3.R.Manimekalai
4.R.Loganathan Ravichandran
5.R.Thamalirasu
6.S.Santhamani
7.A.Navamani Arusamy
8.R.Banumathy
9.Sarojini
10.Subramanian

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to conduct enquiry and inspect the well situated in S.F. No.254/9, Kangeyampalayam Village and pass appropriate orders in the light of this Court Order dated 18.04.2018 passed in WP No. 4774 of 2006 and the petitioner's representation dated 18.10.2022.



WP.No.12252 of 2024

For Petitioner : Mr.K.R.B.Dhaaranee
For Respondents : Mr.P.Sathish for R1 & R2
Additional Government Pleader

ORDER

This writ petition is filed for a direction to the 2nd respondent to conduct enquiry and inspect the well situated in S.F.No.254/9, Kangeyampalayam Village and pass appropriate orders in light of the Order of this Court dated 18.04.2018 passed in WP No. 4774 of 2006 and the petitioner's representation dated 18.10.2022.

2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. This Court in W.P.No.4774 of 2006, by Order dated 18.01.2018, has held as follows:

“11.In view of all the above, this Court is inclined to set aside the impugned order and remit the matter back to the first respondent for fresh consideration. Accordingly, the impugned order of the first respondent dated 01.02.2006 made in Na.Ka.No.9199/ 2001/A2 is set aside and the matter is remitted back to the first respondent for fresh consideration. The petitioners and the private respondents are directed to file the relevant documents before the first respondent. On receipt of the same, the first respondent shall consider the same and pass appropriate orders, in accordance with law.”

4. It is the grievance of the writ petitioner despite such directions, no



WP.No.12252 of 2024

enquiry whatsoever is conducted. Hence, this writ petition.

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5. The learned Additional Government Pleader submitted that enquiry will be conducted expeditiously within a timeframe fixed by this Court.

6. Heard both sides and perused the materials available on record.

7. Such view of the matter, there shall be a direction to the second respondent to conduct enquiry and inspect the well situated in S.F.No.254/9, Kangeyampalayam Village and pass appropriate orders, on its own merits and in accordance with law in light of the Order of this Court dated 18.04.2018 passed in WP No. 4774 of 2006. Such exercise shall be completed within a period of three months from the date of receipt of copy of this order.

8. With the above direction, this writ petition is disposed of. No costs.

30.04.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

N. SATHISH KUMAR, J.



WEB COPY



WP.No.12252 of 2024

dhk

To,

1.The Revenue Divisional Officer
Jaivabhai School Road, Rayapuram
Tiruppur

2.The Revenue Divisional Officer
Huzur Road, Gopalapuram
Coimbatore

W.P.No.12252 of 2024

30.04.2024
(1/2)