



WEB COPY



W.P.No.22131 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22131 of 2024 and

W.M.P.No.24125 of 2024

Kaliaperumal

...Petitioner

Vs.

1.The Revenue Divisional Officer
Cuddalore.

2.The Revenue Tahsildar
Kurinjipadi, Kurinjipadi Taluk,
Cuddalore District.

3.Mr.Muralikumar
4.Mr.Vijayabalan
5.Mr.Jayaraman

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records and quash the impugned notice of the 1st respondent in Na.Ka. A7/1988/2023 dated 15.05.2024 and consequently directing the 1st respondent to pass orders upon the petitioner's representation dated 28.06.2022 based upon the report of the 2nd respondent in his Na.Ka. Aa3/437/2023 dated 22.09.2023.



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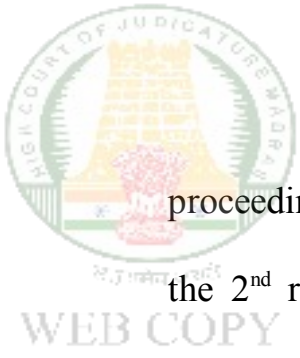
For Petitioner : Mr.D.Baskar

For Respondents 1 & 2 : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks issuance of a writ of Certiorarified Mandamus calling for the records of the notice issued by the 1st respondent directing him to appear for enquiry on 29.05.2024 based on the representation made by him for correction of FMB for Survey No.64/2 in Kizhur mathura, Ayeepettai village, Kurinjipadi taluk, Cuddalore district.

2. The petitioner submitted a representation on 28.06.2022 to the 2nd respondent seeking correction in the FMB for the Survey No.64/2 on the ground that there is a shortage of extent during updation of revenue records. According to the petitioner, as per the “A” register, the Old survey number for the petitioner's property is 468/2 and the extent is 0.66 cents. Now, the new survey number is 64/2 and the extent of the new survey number is mentioned as 0.24 ares less than 0.66 cents. Therefore, he submitted a representation on 28.06.2022 seeking correction in the revenue records. The 2nd respondent submitted his field report to the 1st respondent on 22.09.2023 in his



proceedings in Na.Ka. Aa3/437/2023. Based on the field report submitted by the 2nd respondent, the 1st respondent issued impugned notice directing the petitioner to appear for enquiry and aggrieved by the same, the petitioner is before this Court.

3. The learned counsel for the petitioner submitted that when 2nd respondent found that there is a shortage of extent as claimed by the petitioner, there is no necessary for the 1st respondent to conduct enquiry. Therefore, enquiry notice should be quashed.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that pursuant to the enquiry notice issued by the 1st respondent, the petitioner appeared for enquiry on 29.05.2024 and submitted his representation and therefore, final orders will be passed within a time fixed by this Court.



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5. In view of the stand taken by the learned Additional Government Pleader that enquiry was already conducted and final orders are awaited, this Court is not inclined to accept the submissions made by the learned counsel for the petitioner. Without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 1st respondent to complete the enquiry and pass final orders within a period of three weeks from the date of receipt of copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

06.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr



W.P.No.22131 of 2021.

To
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Cuddalore.
- 2.The Revenue Tahsildar
Kurinjipadi, Kurinjipadi Taluk,
Cuddalore District.



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S.SOUNTHAR, J.
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