

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15136 of 2016

and

WMP.Nos.13186 and 13187 of 2016

1.T.S.Uma
2.T.S.Usha
3.T.S.Padhmavathi ... Petitioners

vs.

1.The District Collector,
Kancheepuram District.
2.The Revenue Divisional Officer,
Tambaram Taluk,
Kancheepuram District,
3.The Tahsildar,
Tambaram Taluk,
Kancheepuram District.
4.Balamurali Sai ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records relating to the 3rd respondent's proceedings made in Na.Ka.No.1382/2010/A5 dated 24.12.2012 and to quash the same as arbitrary, illegal and in violation of the principles of natural justice.

For Petitioner : Mr.L.Chandrakumar

For R1 to R3 : Mrs.P.Rajalakshmi, GA

ORDER

The petitioners have filed the present writ petition challenging the order of the third respondent dated 24.12.2012, in and by which, the third respondent has

cancelled patta no.151 in respect of the property in S.No.3/9B measuring to an extent of 0.03.0 Ares granted to the petitioners herein, who are the legal heirs of one T.S.Nair and included the name of one Balamurali Sai, who is the fourth respondent herein.

2. Though the petitioners have raised very many contentions against the impugned order passed by the third respondent, learned counsel for the petitioners, during the course of his argument, submitted that the petitioners have already filed an appeal dated 19.01.2013 before the second respondent as against the order of the third respondent. Therefore, it would be suffice, if an direction is granted to the second respondent to dispose of the appeal filed by the petitioners.

3. In view of the submission so made by the learned counsel for the petitioners, this court directs the second respondent to dispose of the appeal dated 19.01.2013 filed by the petitioners as against the order of the third respondent dated 24.12.2012 within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioners and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the fourth respondent herein.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

rk

To

1.The District Collector,
Kancheepuram District,

2.The Revenue Divisional Officer,
Tambaram Taluk, Kancheepuram District,

WEB COPY

3.The Tahsildar, Tambaram Taluk,
Kancheepuram.

1 cc to Government Pleader, SR. 25856

1 cc to Mr.L. Chandrakumar, Advocate, Sr. 25920

W.P.No.15136 of 2016

PA (CO)
kk 31/5



WEB COPY