

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25797 of 2016

In

W.M.P.Nos.22101 and 22102 of 2016

1.S.Ravi
2.S.Xavier
3.S.Rita
4.S.Stella

.... Petitioners

Vs.

1.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Chengalpet,
Kancheepuram District.

3.The Tahsildar,
Thirukalukundram Taluk,
Kancheepuram District.

4.Tmt.Kasturi
5.Tmt.P.Sundari

.... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned enquiry notice issued by the 1st respondent in No.25079/2011/N4 dated 05.07.2016 and to quash the same in respect of land in S.No.48/8A1 Mamallapuram, Thirukalukundram Taluk, Kancheepuram District covered by patta No.257 belong to the petitioner.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.R.Govindasamy for R1 to R3
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The office of the first respondent in compliance of the order dated 17.03.2015 made in W.P.No.11743 of 2014, has called upon the respondents 4 and 5, one Loganathan, Padmanaban as well as A.Selvam to appear for the enquiry on 11.06.2015.

3.The learned counsel appearing for the petitioners would submit that A.Selvam, the father of the petitioners is nomore and has died on 07.05.2004 and immediately, on receipt of notice, sent an Advocate notice on 01.08.2011 to the respondents 2 and 3 informing the said fact and also the subsistence of the interim order made in O.S.No.39 of 2011 by the District Munsif Court, Thirukalukundram in respect of the same property in which the private respondents are also parties and despite that, enquiry notice continues to be sent in the name of the dead person A.Selvam. Therefore, the petitioners are constrained to approach this Court by way of this writ petition seeking to quash the impugned notice.

4.This Court heard the submissions of Mr.R.Govindasamy, learned Special Government Pleader who accepts notice for the respondents 1 to 3.

5.It is represented that the office of the first respondent has adjourned the enquiry to 04.08.2016 and on that date the petitioners are permitted to appear before the said official and submit a memo/ reply to the enquiry notice, and thereafter, the office of the first respondent shall consider the claim of the respondents 4 and 5 as well as the petitioners 1 to 4, in accordance with law and thereafter, pass orders as expeditiously as possible and not later than six weeks from 04.08.2016.

6.The writ petition is disposed of accordingly. Consequently, connected miscellaneous petitions are also closed. No costs.

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Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

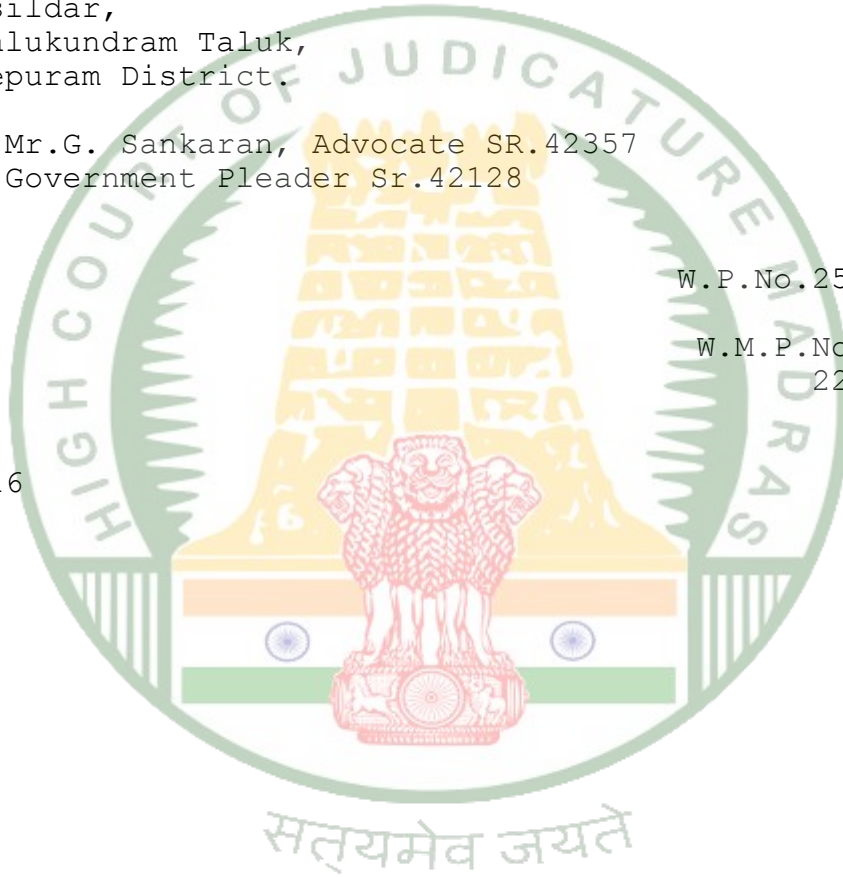
2.The Revenue Divisional Officer,
Chengalpet,
Kancheepuram District.

3.The Tahsildar,
Thirukalukundram Taluk,
Kancheepuram District.

+ 1 cc to Mr.G. Sankaran, Advocate SR.42357
+ 1 cc to Government Pleader Sr.42128

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VG (CO)
EU 08.08.16



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