

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.30280 of 2016 & W.M.P.No.26275 of 2016

1. V.S.Rajathilagam
2. V.Lakshmi .. Petitioners

Vs.

1. The Revenue Divisional Officer,
Ambattur,
Ambattur Road, Ambattur,
Chennai - 600 053.

2. The Tahsildar,
Madhavaram Taluk,,
Madhavaram, Chennai - 600 060.

3. The Special Tahsildar,
Natham Settlement Scheme,
Madhavaram Taluk,
No.1, Pazhaniappa Nagar,
Fifth Street, Madhavaram,
Chennai - 600 060.

4. Mr.S.Gopa Raja .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order bearing No.R.C.3249 of 2015/A5, dated 29.07.2016 issued by the first respondent and quash the same.

For Petitioners	:	Mrs.Rita Chandrasekar
For Respondents	:	Mr.A.N.Thambidurai
1 to 3		Spl. Govt., Pleader

ORDER

Heard the learned counsel for the petitioners and the learned Special Government Advocate for the respondents, who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2. This Writ Petition has been filed to call for the records relating to the impugned order bearing No.R.C.3249 of 2015/A5, dated 29.07.2016 issued by the first respondent and quash the same.

3. The case of the petitioners is that the first petitioner purchased a land situated at Madhavaram Village comprised in Survey No.160/1, consisting of 18 cents of Madhavaram Taluk, Thiruvallur District from one Jeevammal and others under a deed of sale dated 16.10.1996 registered as document No.P666 of 1996 and later numbered as 6235 of 1999, of Book 1, at SRO, Sembium. Subsequently, the petitioner sold a portion of land measuring 1800 sq.ft. from and out of the aforesaid 18 cents to the second petitioner under a deed of sale dated 27.10.2010 registered as document No.8884 of 2010. The third respondent also issued pattas to the petitioners to their respective lands along with their photographs. While so, one Natha Muni Iyya created bogus documents in respect of the above said property by first entering into a sale agreement with one Mr.C.Sundararam under the Document No.3522 of 1982 describing the land conveyed thereunder as comprised in O.S.No.160 and New S.No.16D/1 measuring 0.30 cents and later selling it to the fourth respondent under document No.3080 of 1985 at SRO, Sembiam, describing the land conveyed thereunder as comprised in O.S.No.160 and New S.No.16B/1 and measuring 30 cents. The fourth respondents without verifying the documents passed the impugned order directing the cancellation of patta issued in the name of the petitioners and issuance of patta to the fourth respondent. Hence, the petitioners have come forward with the present Writ Petition. सत्यमेव जयते

4. Today, when the matter was taken up, the learned counsel for the petitioners submitted that as per the direction of this Court, the petitioners have already filed appeal before the Revenue Divisional Officer as early as on 31.08.2016. But till date, neither notice was sent to the petitioner nor enquiry was conducted in the appeal. Hence, the learned counsel for the petitioner sought for a direction for earlier disposal of the appeal.

5. Considering the facts and circumstances, this Court directs the third respondent to dispose of the appeal filed by the petitioners, after giving notice to both the parties, 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. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Ambattur,
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3. The Special Tahsildar,
Natham Settlement Scheme,
Madhavaram Taluk,
No.1, Pazhaniappa Nagar,
Fifth Street, Madhavaram,
Chennai - 600 060.

+1cc to Mr.Rita Chandrasekar, Advocate, S.R.No.64017
+2cc to Mr.S.S. Vijayakumar, Advocate, S.R.No.64720
+1cc to the Government Pleader, S.R.No.64363

gr (CO)
md (11/11/2016)

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