

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2017

CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.29404 of 2017

and

W.M.P.No.31676 of 2017

K.Jeyavel

..Petitioner

vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur-602 001

2. The Revenue Divisional Officer (RDO)
Thiruvallur District,
Thiruvallur - 602 001

3. The Thasildar,
Thiruvallur District,
Thiruvallur - 602 001

4. Prabhu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records pertaining to the impugned order issued by the 3rd respondent in letter dated 23.10.2017 in Na.Ka.No.8577/2016/A1 and to quash the same.

For Petitioner : Prof.M.Udaya Bhanu

For Respondents : Mr.P.Senthilvel

Government Advocate for R1 to R3

ORDER

Mr.P.Senthilvel, learned Government Advocate takes notice for the respondents 1 to 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the proceedings of the 3rd respondent dated 23.10.2017 which is nothing but a notice calling upon the petitioner to appear for an enquiry

scheduled to be conducted on 24.10.2017 in respect of patta proceedings. Therefore, this Court is of the view that the present writ petition cannot be maintained by the petitioner challenging such notice, as admittedly, the Tahsildar namely, the 3rd respondent has to enquire into the dispute between the parties with regard to the grant of patta, for which, he has to certainly conduct the enquiry. Therefore, the petitioner cannot be an aggrieved person warranting the filing of the present writ petition challenging the said notice.

3. Accordingly, this writ petition is disposed of with liberty to the petitioner to approach the Tahsildar, namely the 3rd respondent and appear for the enquiry, which according to the petitioner is scheduled to a future date. Needless to say that the 3rd respondent shall enquire all the parties concerned by giving them due opportunity of personal hearing as well and thereafter pass appropriate orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi
To

1. The District Collector,
Thiruvallur District,
Thiruvallur-602 001

2. The Revenue Divisional Officer (RDO)
Thiruvallur District,
Thiruvallur - 602 001

3. The Thasildar,
Thiruvallur District,
Thiruvallur - 602 001

+1 CC to Govt. Pleader sr 82455.

+1 CC to Mr.M.Udaya Bhanu, Advocate sr 81667.

W.P.No.29404 of 2017

SP(24/11/2017)