

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8928 of 2018

1. Mr.V.Shanmugam
2. Mr.V.Dhinakaran .. Petitioners

-vs-

1. The District Collector
District Collectorate Office
Kancheepuram District 631 501
2. The District Revenue Officer
District Collectorate Office
Kancheepuram District 631 501
3. The Revenue Divisional Officer
Maduranthakam Taluk
Kancheepuram District 603 306
4. The Tahsildar
Maduranthakam Taluk
Kancheepuram District 603 306
5. Mr.Chella Gounder .. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
fourth respondent to pass an order on the enquiry conducted
dated 04.04.2017.

For Petitioners : Mr.N.Kumar Rajan

For Respondents : Mr.S.N.Parthasarathy
Government Advocate for R1 to 4

ORDER

The petitioners, claiming to be the owners of the property
in Survey No.81/3B situated at Semboondi Village, L.Endathur,
Maduranthakam Taluk having an extent of 0.16.5 ares, originally
belonging to their father Mr.Vadivel Gounder, have come to this
Court seeking a mandamus to the Tahsildar, Maduranthakam Taluk,

Kancheepuram District, the fourth respondent herein to pass an order on the enquiry conducted on 4.4.2017 within a stipulated time.

2. It is stated that the petitioners are the sons of Mr.Vadivel Gounder, who was the owner of the property covered in Survey No.81/3B at Semboondi Village, L.Endathur, Maduranthakam Taluk to an extent of 0.16.5 ares. After the demise of their father, they are in possession and enjoyment of the same by cultivating the said property shown in joint Patta No.394. It is also stated that they have been paying the tax for the land. While so, their own cousin brother Mr.Chella Gounder, S/o Mr.Chinnaiah Gounder, the fifth respondent herein, has fraudulently transferred the patta of the said land in his name. Therefore, this was brought to the notice of the District Collector, Kancheepuram through their representation dated 13.4.2015 followed by a reminder on 23.1.2017 to conduct an enquiry for the transfer of patta along with other documents. Pursuant thereto, the first respondent directed the fourth respondent to consider the representation. After conducting an enquiry, the fourth respondent has not till date made available the report. Therefore a direction be issued.

3. The learned Government Advocate for the respondents 1 to 4 submitted that the enquiry has been over. Therefore, a direction be issued to the fourth respondent to make available the report, so that the third respondent will be able to pass appropriate orders.

4. Placing on record his statement, this Court hereby directs the fourth respondent to place the enquiry report in respect of the land covered in Survey No.81/3B at Semboondi Village, L.Endathur, Maduranthakam Taluk to an extent of 0.16.5 ares within a period of two weeks from the date of receipt of a copy of this order to the third respondent and the third respondent is further directed to pass appropriate orders in accordance with law within a period of two weeks from the date of receipt of such report from the fourth respondent. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

SS

To

1. The District Collector
District Collector Office
Kancheepuram District 631 501
2. The District Revenue Officer
District Collector Office
Kancheepuram District 631 501
3. The Revenue Divisional Officer
Maduranthakam Taluk
Kancheepuram District 603 306
4. The Tahsildar
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Kancheepuram District 603 306

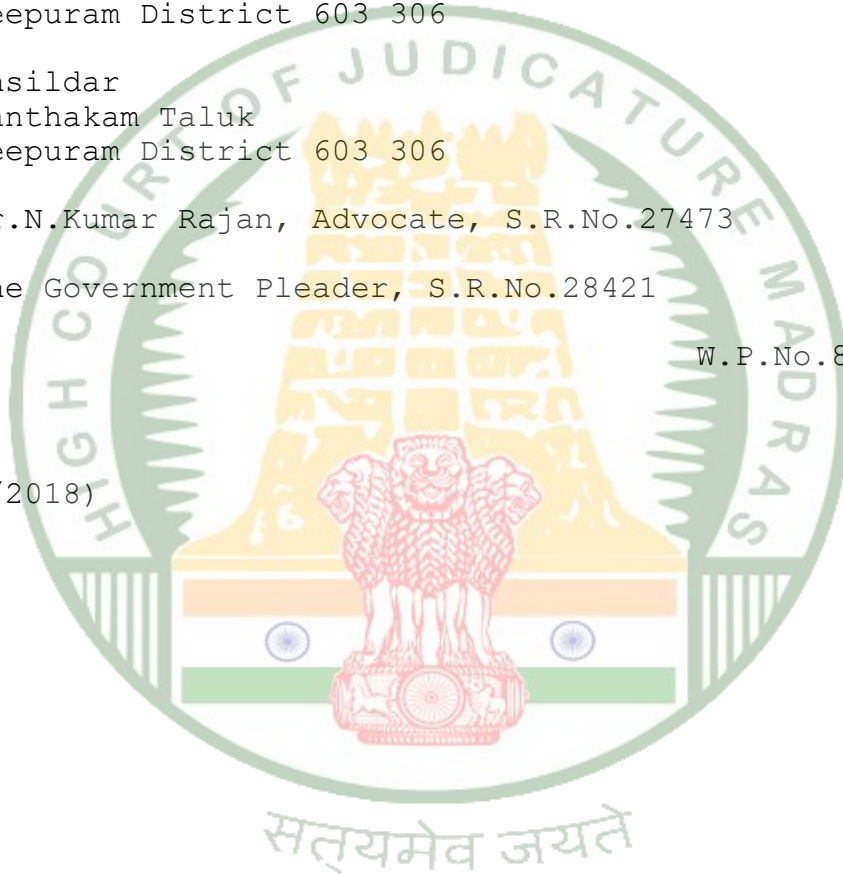
+2cc to Mr.N.Kumar Rajan, Advocate, S.R.No.27473

+1cc to the Government Pleader, S.R.No.28421

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RK(CO)

RRK(18/04/2018)



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