



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.2789 of 2018

and

WMP(MD)Nos.2956 and 2957 of 2018

R.Srinivasan

... Petitioner

Vs.

1. The District Collector,
District Collector's Office,
Trichy - 1, Trichy District.
2. The Commissioner of Police,
C.O.P.Office,
Mannarpuram,
Trichy - 20, Trichy District.
3. The Tahsildar,
Trichy (West) Taluk,
Taluk Office (West),
Trichy, Trichy District.
4. The Village Administrative Officer,
Thamalavarubayam Village,
Trichy West Taluk,
Taluk (West) Office,
Trichy, Trichy District.
5. K.K.Senthilkumar
The Inspector of Police,
Law and Order,
Woraiyur Police Station,
Woraiyur, Trichy - 3,
Trichy District.

6.S.Gunaseelan

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the third respondent's communication made in Na.Ka.A1/10/2018 dated 27/01/2018 and quash the same and further direct the respondents 1 and 2 to take appropriate action as against the respondents 3 to 5 herein for misusing their official powers in favour of the sixth respondent herein.

**ORDER**

This writ petition has been filed challenging the communication sent by the third respondent in respect of the property in T.S.No.94/D, situated at Chinthamani Village, Trichy West Taluk, Trichy District.

2. According to the petitioner, the property in dispute is originally belonged to his ancestors. In the year 1898, in the revenue register, it has been wrongly incorporated as if the above property belonged to one Mouna Madam. Subsequently, the sixth respondent said to have purchased the said property. Now, based on the complaint given by the sixth respondent against the petitioner before the fifth respondent, the fifth respondent sent a letter to the third respondent/Tahsildar to conduct survey in respect of the property in question. The third respondent, in turn, directed the fourth respondent, Village Administrative Officer to submit report regarding title over the said property. Based on the direction, the Village Administrative Officer now said to have submitted a report dated 27.01.2018 before the Tahsildar, stating that the property in question is absolutely belonged to the sixth respondent, as per the sale deed, and as on today, he is in possession and enjoyment of the same. Challenging the said communication, this writ petition has been filed.

3. First of all, the communication impugned in this writ petition is only a report submitted by the fourth respondent VAO to the third respondent and if the Tahsildar pass any order adverse to the petitioner, it is always open to him to challenge the same in the manner known to law and he cannot maintain this writ petition, challenging the report submitted by the fourth respondent.

4. This writ petition is dismissed accordingly. No costs. Consequently, WMP(MD)Nos.2956 and 2957 of 2018 are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector's Office,
Trichy - 1, Trichy District.

2. The Commissioner of Police,
Police Office,
Mannarpuram,
Trichy - 20, Trichy District.



3. The Tahsildar,
Trichy (West) Taluk,
Taluk Office (West),
Trichy, Trichy District.

4. The Village Administrative Officer,
Thamalavarubayam Village,
Trichy West Taluk,
Taluk (West) Office,
Trichy, Trichy District.

+1cc to Mr.R.Sundar, Advocate Sr.No.47725
+1cc to Spl.Government Pleader Sr.No.48670

MJ

VB/SV/MMS/16.02.2018/3P/7C

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