

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. No.17504 of 2013
and
M.P.No.1 & 2 of 2013

R.Bhuvaneswari

..Petitioner

1.The Revenue Divisional Officer,
Tambaram,
Taluk Officer Building 1st Floor,
Kadaperi Opposite to Mepz, GST Road,
Tambaram, Chennai-600045

2.The Tashildhar, Tambaram Taluk
Taluk Office Building 1st Floor,
Kadaperi Opposite to Mepz, GST Road,
Tambaram, Chennai-600045

3.Raja Singh,

4.Ramesh

.. Respondents

Prayer: The Writ Petition has been filed under Article 226 of the Constitution of India, seeking issuance of a writ of Certiorari to call for the records of the 1st respondent in respect of order dated 09.03.2013 in proceedings Na.Ka.No.417 of 2013A and quash the same.

For Petitioner : Mr.D.Gopal

For Respondents : Mr.J.Sathish

Additional Government Pleader for R1 & R2
No Appearance for R3 & R4

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ORDER

The petitioner has come forward with the writ petition for issuance of writ of Certiorari to call for the records of the 1st respondent in respect of order dated 09.03.2013 in proceedings Na.Ka.No.417 of 2013A. The petitioner would claim that her husband late Moorthynathan purchased land and building bearing Door No.657-25 comprised in Survey No.657/4A in Gnananda

Nagar layout admeasuring 4824 Square feet by way of two registered sale deeds dated 15.06.2001 and 11.08.2004 and he was also issued with patta in patta No.4837 and thereafter, survey number was subdivided into S.No.657/25.

2.The petitioner would state that her husband died on 10.08.2012 and thereafter, on the basis of the application made by the 3rd respondent, the petitioner's husband name was removed and patta was issued in favour of the 3rd respondent.

3.Mr.D.Gopal learned counsel for the petitioner would argue that the order impugned this writ petition is liable to be quashed on the face of it. According to the learned counsel notice was issued in the name of dead person and without providing any opportunity to the petitioner the impugned order has been passed. It is further stated that the 2nd respondent, committed so many mistakes during his tenure of service. Subsequently, on the basis of the representations made by the aggrieved persons, the Revenue Divisional Officer issued notice for conducting fresh enquiry, which will be held on 26.08.2019.

4.Mr.J.Sathish learned Additional Government Pleader would state that it is true that the 1st respondent is conducting enquiry and if the petitioner is able to produce all the relevant documents, the 1st respondent is ready to consider the grievance of the petitioner.

5. Despite service of notice to the 3rd and 4th respondents and their names have been printed in the cause list, none appears for them to put forth their case. In any event, since it is submitted by the learned Additional Government Pleader that the 1st respondent is ready to conduct enquiry in respect of the grievance of the petitioner, the impugned order dated 09.03.2013 is set aside. The first respondent shall pass an order afresh on merits and in accordance with law after providing ample opportunity to all the necessary parties within a period of three months and the exercise shall be completed from the date of receipt of a copy of this order.

6.Accordinly, the Writ petition stands disposed of. Consequently, connected miscellaneous petitions are closed

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

vsn

To

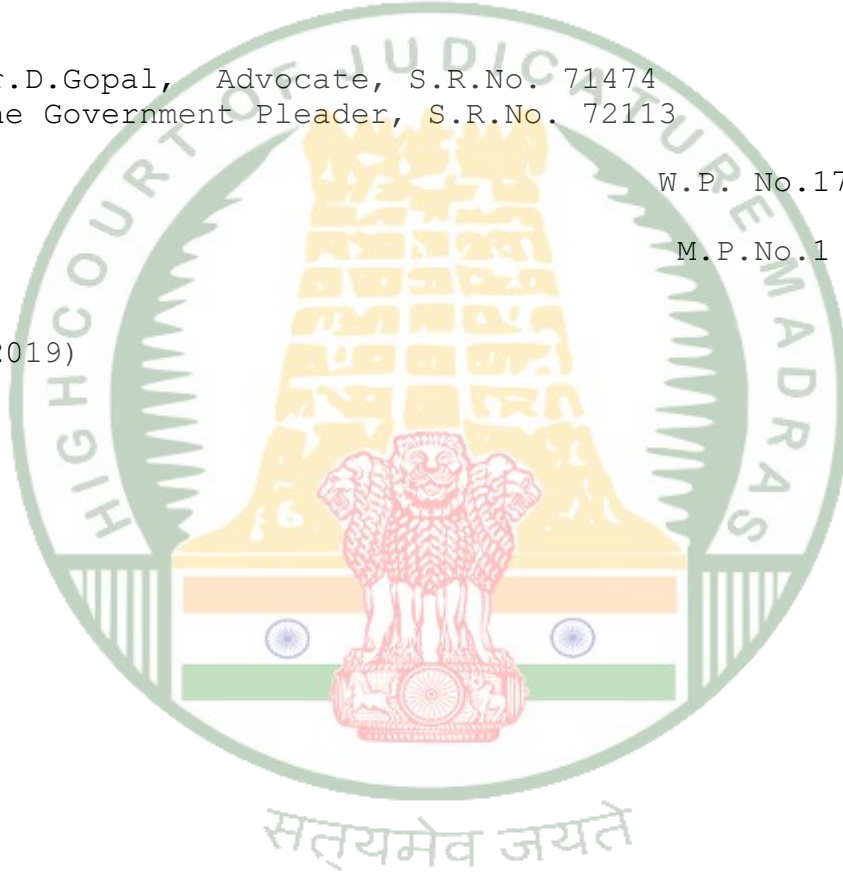
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Tambaram, Chennai-600045

+1cc to Mr.D.Gopal, Advocate, S.R.No. 71474
+1cc to the Government Pleader, S.R.No. 72113

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MG (CO)
GN(15/10/2019)



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