

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.24546 of 2019
and W.M.P.Nos.24233 & 24234 of 2019

1.V.R.Kamala Kannan

2.K.Renuga

.. Petitioners

/versus/

1.The Revenue Divisional Officer,
Tambaram Taluk,
Tambaram.

2.The Revenue Tahsildar,
Tambaram.

3.Thiru Shylock Stephen,
Bishop Hostel, Thimmapuram,
Chengalpet-101.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, directing the 2nd respondent to furnish the copies of all documents requested by the petitioner in letter dt. 02.08.2019.

For Petitioners : Mr.V.Bhiman

For Respondents : Mr.J.Purushothaman
Government Advocate for R1 & R2

O R D E R

The 1st petitioner herein claims to be the owner of 4 acres of land, out of which, he has settled 1 acre of land in favour of his wife-2nd petitioner herein on 18.09.2018.

2. Based on the complaint given by the 3rd respondent, the 1st respondent has issued a summon to the petitioners to appear

before him for enquiry or else the patta issued to them has been cancelled. Apprehending that without proper enquiry and fair opportunity, the 1st respondent may pass order adverse to them, the present writ petition is filed.

3. The learned Government Advocate who took notice on behalf of the respondents 1 and 2 would submit that based on the complaint given by the 3rd respondent, notice was served to the petitioners to attend the enquiry with relevant documents. In spite of several notices, the petitioners have not turned up, whereas, the 3rd respondent is regularly attending the enquiry. If the petitioners participate in the enquiry, the 1st respondent will be in a position to consider the complaint given by the 3rd respondent and the right of the petitioners in respect of the property held by them. Instead of participating the enquiry the petitioners rushed to this Court suppressing the fact. Even now if the petitioners appear before the 2nd respondent fair and proper enquiry will be conducted on the complaint given by the 3rd respondent.

4. Recording the submissions made by the learned Government Advocate for the respondents 1 and 2, the writ petition is disposed of for the following terms:-

(i) The petitioners shall appear before the 1st respondent with all relevant documents available with them in respect of the property mentioned in the notice sent by the 1st respondent on 11.06.2019.

(ii) such appearance, the 1st respondent shall conduct enquiry and pass orders in accordance with law.

(iii) The petitioners are directed to appear before the 1st respondent on 15.10.2019 with all relevant documents. Thereafter, the 1st respondent shall complete the enquiry within a period of four weeks.

5. Accordingly, the writ petition is disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Asst.Registrar (Insp cell)

/true copy/

Sub Asst. Registrar

rpl
To

1.The Revenue Divisional Officer,
Tambaram Taluk,
Tambaram.

2.The Revenue Tahsildar,
Tambaram.

+1cc to M/S.V.Bhiman,Advocate, SR.82925
+1cc to the Government Pleader, SR.83202

BP(CO)
CB(30/09/2019)

W.P.No.24546 of 2019
and W.M.P.Nos.24233 & 24234 of 2019



WEB COPY