

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.24856 of 2019
and W.M.P.No.24477 of 2019

Sakthivel

... Petitioner

/versus/

1.The District Collector,
Dharmapuri,
Dharmapuri District.

2.The District Revenue Officer,
Dharmapuri,
Dharmapuri District.

3.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

4.The Tahsildar,
Taluk Office,
Pappireddipatti,
Dharmapuri District.

5.Vasantha

6.Rajadurai

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus, to call for the records in proceedings in Na.Ka.3213/2018/B4 dated .08.2019 of 4th respondent and quash the same and consequently direct the respondents 1 to 4 not to proceed further with regard tot he petitioner's property in Survey No.465/1A2 and 465/1A2B.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.N.Inbanathan
Addl.Govt.Pleader for R1 to R4

O R D E R

The petitioner herein aggrieved by the notice issued by the Tahsildar, Pappireddipatti calling the petitioner to appear before him on 16.08.2019 to enquire the complaint given by one Vasantha w/o.Pattabiraman to cancel the Sub division of Survey No.465/1A2, has filed this writ petition to quash the said proceedings.

2. The proceedings was only a enquiry proceedings based on the complaint given by Vasantha, this Court thought fit that what transpired during the enquiry proceedings on 16.08.2019.

3. The learned Additional Government Pleader took notice and filed detailed counter on behalf of the Tahsildar and the other respondents stated that earlier under the UDR "A" Register, the Survey No. 465/1 with an extent of 8.14.0 is owned by a joint patta held by Vasantha and Anusuya. On 08.05.1987 sub division was made and individual patta was issued to Vasantha and Anusuya. Anusiya has sold a portion of the land to the writ petitioner. Thereafter, the dispute has cropped up between Vasantha and Anusuya, which laid to complaint of Vasantha to cancel the sub division effected during the year 1996. To enquire about the complaint, the petitioner was summoned which is the subject matter of the writ petition.

4. Though the petitioner did not attend the enquiry on 16.08.2019, the 4th respondent after perusing the record has instructed the parties to approach the civil Court and settle the dispute as the sub division effected during 1987 cannot be withdrawn. It is stated in the counter affidavit that the petitioner has to work out the remedy before the civil Court if he is any way aggrieved. The writ petition is not maintainable.

5. Recording the statement made by the respondent 1 to 3, the writ petition is dismissed and nothing survives in it. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpl

To

1.The District Collector,
Dharmapuri, Dharmapuri District.

2.The District Revenue Officer,
Dharmapuri,
Dharmapuri District.

3.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

4.The Tahsildar,
Taluk Office,
Pappireddipatti,
Dharmapuri District.

+lcc to Mr.K.Thiruvengadam, Advocate Sr.81473

+lcc to the Government Pleader Sr.81910

W.P.No.24856 of 2019
and W.M.P.No.24477 of 2019

gj[col]
srg 01/11/2019



WEB COPY