

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:01.10.2019

Coram:

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Writ Petition No.25604 of 2019
and
W.M.P.No.25135 of 2019

Mr.N.Jayachandran

.. Petitioner

/versus/

1.The Sub Collector,
Cuddalore District,
Collectorate Office Complex,
Cuddalore.

2.Smt.Valli

3.Smt.Padma

4.Smt.Suseela

5.Mr.Dhankoti

6.Mr.Manohar

7.Smt.Muthulakshmi

8.Smt.Pushpa

9.Mr.Raja

10.Smt.Selvi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records comprised in the proceedings of the 1st respondent dated 03.06.2019 in proceedings Na.Ka.A7/231/2019 and the subsequent enquiry proceedings conducted by the 1st respondent for cancellation of patta issued in favour of the petitioner and quash the same as arbitrary and illegal.

For Petitioner :Mr.M.Venkatakrishnan

For Respondent :Mr.K.Ravikumar, AGP for R1

O R D E R

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus calling for the records comprised in the proceedings of the 1st respondent Na.Ka.A7/231/2019, dated 03.06.2019 and the subsequent enquiry proceedings conducted by the 1st respondent for cancellation of patta issued in favour of the petitioner and quash the same as arbitrary and illegal.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the 1st respondent.

3. The petitioner has approached this Court to quash the enquiry notice issued by the 1st respondent dated 03.06.2019 calling upon him to participate in the enquiry, pursuant to the suit filed by Valli and 8 others before the Principal District Court in P.O.P.No.143/2018.

4. According to the learned counsel appearing for the petitioner, in the proceedings to enquire, whether Valli and 8 others are pauper and persons of no means to pay Court fee in the suit, the first respondent has caused notice to the petitioner herein, who has rival claim and title over the property, which is the subject matter of P.O.P.143/2018 filed by Valli and others.

5. The contention of the learned counsel appearing for the petitioner is that the Sub Collector has totally got misdirected by the notice received by him from the Court and attempted to enquire into the title dispute, which is the subject matter of the Civil Suit pending and seized of by the competent Civil Court.

6. After notice, the learned Additional Government Pleader appearing for the 1st respondent today circulated the communication of the Sub Collector, wherein he has informed the petitioner and the 2nd respondent that he has dropped the enquiry proceedings, in view of the pendency of Civil Suit in C.M.P.No.10746/2019 in C.R.P.No.1448 of 2019 and O.S.No.192 of 2009 and O.S.No.32 of 2011 on the file of the Principal District Munsif Court, Cuddalore. Since the Sub Collector has decided to drop the enquiry, nothing survives in this writ petition.

7. Hence, this writ petition is disposed of recording the communication of the Sub Collector dated 19.09.2019. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CJ conf)

//True Copy//

Sub Assistant Registrar

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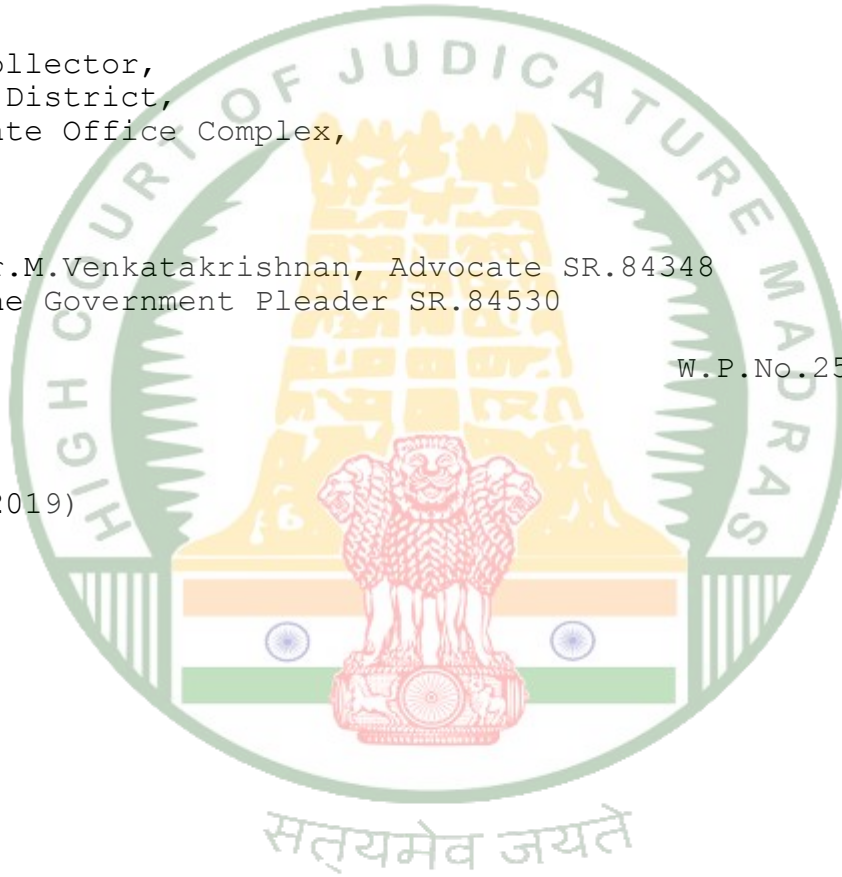
The Sub Collector,
Cuddalore District,
Collectorate Office Complex,
Cuddalore.

+1cc to Mr.M.Venkatakrishnan, Advocate SR.84348

+1cc to the Government Pleader SR.84530

W.P.No.25604 of 2019

MG(CO)
CB(05/11/2019)



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