

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:07.11.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.26251 of 2019
and
W.M.P.No.25632 of 2019

Mr.P.Vijay

... Petitioner

/versus/

1.The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Fort St.George,
Chennai 600 009.

2.The Commissioner,
Tiruverkadu Municipality,
Chennai 600 077.

3.The District Collector,
Thiruvallur District,
Thiruvallur.

4.The Revenue Divisional Officer,
Poonamallee Taluk,
Chennai.

5.The Tahsildar,
Poonamallee.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to conclude the enquiry called for by the Revenue Divisional Officer on 31.05.2013 by Revenue Divisional Officer, Ambatur dated 17.05.2013 in Na.Ka.356/2013A5 as per the order of this Hon'ble Court in W.P.No.36820 of 2006 dated 08/02/2013 after considering the written submission made by petitioner's late father on 15/07/2013 and pass order in a time bound manner.

For Petitioner :Mr.S.Balasubramaniam

For Respondents:Mr.K.Ravikumar, AGP for
R1 to R4

O R D E R

The petitioner herein claiming to be the owner of the land in S.No.67/1, Vadanumbal Village, Ambattur Taluk, Tiruvallur District has sought for Mandamus to direct the respondents to conclude the enquiry initiated by the Revenue Divisional Officer on 17.05.2013 pursuant to the direction of this Court in W.P.No.36820 of 2006 dated 08.02.2013.

2. According to the petitioner, the said property was purchased by his father, vide, sale deed dated 22.12.1988 and the patta was also issued in favour of his father. While so, an attempt was made to dispossess the petitioner's father from the said land and hence, his father has filed a writ petition in W.P.No.36820 of 2006 before this Court seeking Mandamus forbearing respondents 1 to 4 herein from interfering with the peaceful possession of the premises of the petitioner. In the said writ petition, this Court directed the petitioner's father to give a representation to the authorities and on such representation, within a period of 12 weeks the authorities should pass orders. Accordingly, the father of the petitioner herein submitted his representation on 15.07.2013. But, till date no order is passed. Meanwhile, the 5th respondent on 21.08.2019 at about 3.00 p.m., came to the property along with bulldozer and other persons in violation of the order passed in W.P.No.36820 of 2006 and pendency of his representation given in the year 2013. Hence, the present writ petition is filed to dispose of his representation dated 15.07.2013.

3. The learned Additional Government Pleader appearing for respondents 1 to 4 would submit that the representation of the petitioner has been disposed of by the Sub Collector, Tiruvallur vide, his proceedings dated 04.11.2019 holding that the land in which the petitioner claims right is classified as "Government Poromboke Kovam River". The patta issued in favour of the petitioner's father was cancelled long back. If the petitioner herein is aggrieved by the proceedings of the Sub Collector dated 04.11.2019, it is open for the petitioner herein to challenge the same.

4. As far as the present writ petition is concerned, the representation of the petitioner dated 31.05.2013 has been disposed of and nothing survives in this writ petition. Hence, this writ petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To:

1.The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Fort St.George,
Chennai 600 009.

2.The Commissioner,
Tiruverkadu Municipality,
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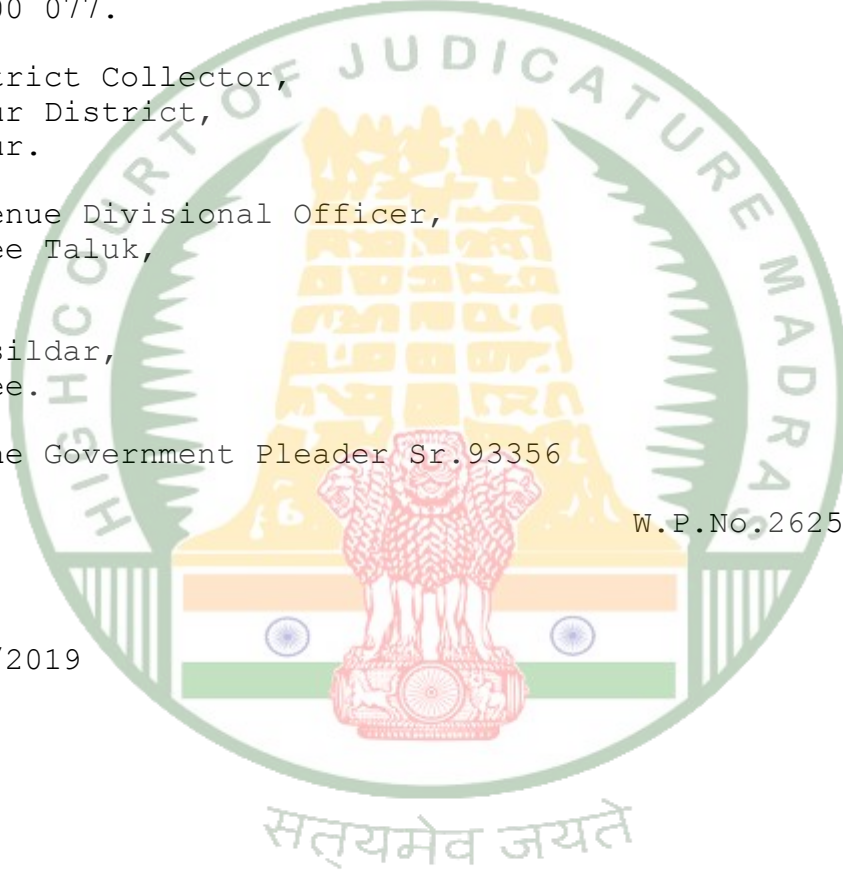
4.The Revenue Divisional Officer,
Poonamallee Taluk,
Chennai.

5.The Tahsildar,
Poonamallee.

+lcc to the Government Pleader Sr.93356

W.P.No.26251 of 2019

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srg 12/11/2019



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