

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:15.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.29248 of 2019
and
W.M.P.No.29051 & 29054 of 2019

1.G.Duraikannan
2.Chandrasekaran ... Petitioners

/versus/

1.The Revenue Divisional Officer,
Tambaram, Kancheepuram District.

2.The Tahsildar,
Tambaram,
Kancheepuram District.

3.A.Sankar
4.Indrani
5.Perumalsamy
6.Suvarna ... Respondents

Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari calling for the records connected with notice dated 30.05.2019 in Na.Ka.450/2018/A on the file of the 1st respondent and quash the same.

For Petitioner :Mr.R.Prasadh
For Respondents :Mr.N.Inbanathan, AGP for R1 & R2

ORDER

The prayer in the writ petition is to issue a Writ of Certiorari calling for the records connected with notice dated 30.05.2019 in Na.Ka.450/2018/A on the file of the 1st respondent and quash the same.

2.Heard Mr.R.Prasadh, learned counsel appearing for the petitioners and Mr.N.Inbanathan, learned Additional Government Pleader, who takes notice for respondents 1 and 2.

3.This Writ Petition filed challenging the notice issued by the Revenue Divisional Officer for enquiry regarding issuance of patta based on fake documents. Referring the suit filed for declaration and mandatory injunction and pending, the petitioners herein submit that the enquiry may cause prejudice to the petitioners in the suit.

4.This Court is unable to countenance such submission. When the Revenue Authorities have taken cognizance of some fake documents relied on by the petitioners for issuance of patta and initiated enquiry proceedings, the same cannot be stalled based on the civil suit. The petitioners are bound to participate in the enquiry, submit the documents and establish the documents relied upon by them are genuine and they are the bona fide purchasers.

5. It is not the case of deciding the title. The enquiry is initiated to ascertain the genuineness of the documents relied on by the petitioners. This Court finds no merits in this writ petition. Hence, this Writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1.The Revenue Divisional Officer,
Tambaram, Kancheepuram District.

2.The Tahsildar, Tambaram,
Kancheepuram District

+1 cc to The Government Pleader Sr.No. 86471

AKM/12.11.19/2P-4C /

W.P.No.29248 of 2019