

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12622 of 2017

M.Balakrishnan

... Petitioner

vs.

1. The District Collector,
Tiruvallur District-602001.

2. The Revenue Divisional Officer,
Ambattur Division,
Ambattur, At Thirumangalam,
Chennai-600101.

3. The Tahsildar,
Maduravoyal Taluk Office,
Maduravoyal,
Chennai-600095.

4. The Tahsildar,
Grama Natham Office Tax,
Ambattur,
Chennai-600053.

5. Sundaramurthy

6. A.S.Nithyanandam

7. A.S.Manivannan

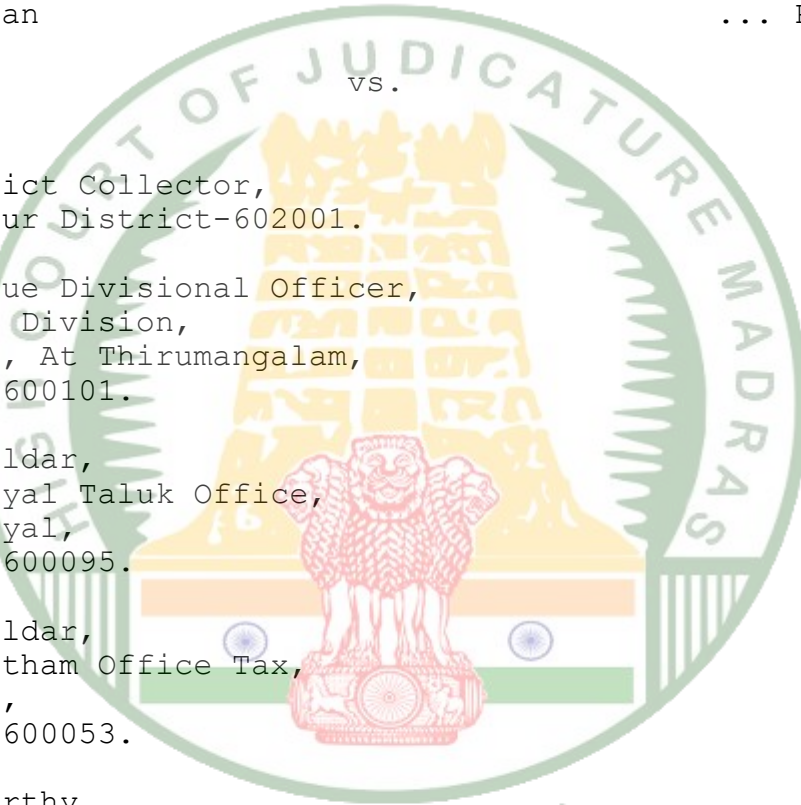
8. A.S.Sridhar

9. A.S.Prakashkumar

10. V.Mythili

11. A.M.Vijayakumar

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to take action on the representation of the petitioner dated 18.02.2017 to cancel the fraudulent "Enjoyment Certificate" Adangal, Patta in respect of Survey No.619 of Ayanabakkam Village, Maduravoyal Taluk and also to take appropriate action against the officers who issued the said Enjoyment Certificate, Adangal.

For Petitioner : Mr.R.Vijayaraghaven
For Respondents : Mr.D.Suriyanarayanan,
Additional Government Pleader
for R1 to R4
Mr.S.Ravichandran for R5 to R9
Mr.V.Balakrishnan R10 & R11

O R D E R

This writ petition is filed seeking for the following relief:

To direct the respondents 1 to 4 to take action on the representation of the petitioner dated 18.02.2017 to cancel the fraudulent "Enjoyment Certificate" Adangal, Patta in respect of Survey No.619 of Ayanabakkam Village, Maduravoyal Taluk and also to take appropriate action against the officers who issued the said Enjoyment Certificate, Adangal.

2. The case of the petitioner is that the petitioner's father was enjoying a vacant land situated at Survey No.619, measuring an extent of 33 cents (Grama Natham) in Ayanambakkam Village, Maduravoyal, having purchased the same in the year 1970 by way of a registered document.

3. It is further contended that the said land is classified as Grama Natham and therefore, the Tahsildar have no right to issue the Enjoyment Certificate in respect of the vacant land in favour of the respondents 5 to 9. Therefore, the petitioner made a representation on 18.02.2017 to cancel the Enjoyment Certificate issued by the Tahsildar in favour of the respondents 5 to 9. As the said representation has not been considered, the present writ petition is filed before this Court.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the contention raised by the petitioner, as it is for the 3rd respondent to consider and decide the grievance of the respective parties. Therefore, this Writ Petition is disposed of only with a direction to the third respondent to consider the representation of the petitioner dated 18.02.2017 and pass orders on the same, on merits and in accordance with

law, after hearing the petitioner, the private respondents 5 to 11 and other interested parties if any. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

gsi/vsi

To

1. The District Collector,
Tiruvallur District-602001.
2. The Revenue Divisional Officer,
Ambattur Division,
Ambattur, At Thirumangalam,
Chennai-600101.
3. The Tahsildar,
Maduravoyal Taluk Office,
Maduravoyal,
Chennai-600095.
4. The Tahsildar,
Grama Natham Office Tax,
Ambattur, Chennai-600053.

+1cc to Mr.R.Vijayaraghaven, Advocate, S.R.No.495

+1cc to Mr.S.Ravichandran, Advocate, S.R.No.198

+1cc to the Government Pleader, S.R.No.513

GJII(CO)
GSP(23/01/2019)

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