

In the High Court of Judicature at Madras
Dated : 06.3.2020
Coram

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.5677 of 2020

Mrs.P.Suvarchala Devi ...Petitioner

Vs

1.The District Collector, Chennai
District, Chennai.

2.The Revenue Divisional Officer,
Central Chennai Division, No.5-73,
SH-112, Gandhi Nagar, Anna Nagar
West Extension, Chennai-40.

3.The Tahsildar, Mambalam-Guindy
Taluk, Jaffer Khanpet, Chennai-83.

4.Jayanthi Thangabalu ...Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to furnish the copy of the petition along with documents filed by the fourth respondent to the petitioner within a stipulated time and give sufficient time to make her reply submission.

For Petitioner : Mr.S.N.Narashimalu
For Respondents 1 to 3 : Mr.E.Balamurugan, SGP

ORDER

I have heard Mr.S.N.Narashimalu, learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader accepting notice for respondents 1 to 3. In the light of the orders this Court proposes to pass, notice to the fourth respondent is dispensed with and the writ petition itself is taken up for final disposal.

2. The petitioner received a notice dated 20.2.2020 from the second respondent calling upon her to attend an enquiry with regard to a petition presented by the fourth respondent for cancellation of patta granted in favour of the petitioner. It appears that earlier, two notices have been sent. But, the petitioner did not respond. Subsequently, the petitioner sent a representation through her counsel, for which, the second respondent sent the communication dated 20.2.2020 fixing the date of enquiry on 05.3.2020 i.e. yesterday. It also appears that the hearing did not take place on 05.3.2020. In the

meantime, the petitioner also sent a representation dated 18.2.2020 requesting copies of the petition filed by the fourth respondent and supportive documents.

3. The petitioner's case is that unless the copy of the petition and the supportive documents are furnished to her, she will not be in a position to give a suitable reply on the next hearing date.

4. The request of the petitioner appears to be reasonable because the petitioner should know as to on what basis, the fourth respondent seeks cancellation of patta.

5. In the light of the above, the writ petition is disposed of by directing the second respondent to furnish the copy of the petition filed by the fourth respondent and the supportive documents to the petitioner within one week from the date of receipt of a copy of this order, after which, the petitioner shall be given at least 10 days' time to submit her reply along with supportive documents. Thereafter, after notice to the petitioner and the fourth respondent, a fresh date of hearing shall be fixed, in which, the parties will be entitled to inspect and go through the documents. After hearing the parties, the second respondent shall pass orders on merits and in accordance with law as expeditiously as possible. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

RS

To

1.The District Collector, Chennai District, Chennai.

2.The Revenue Divisional Officer, Central Chennai Division,
No.5-73,

SH-112, Gandhi Nagar, Anna Nagar West Extension, Chennai-40.

3.The Tahsildar, Mambalam-Guindy Taluk, Jaffer Khanpet, Chennai-83.

+1cc to Mr.S.N.Narasimalu, Advocate, S.R.No.19988

+1cc to the Government Pleader, S.R.No.21189

WP.No.5677 of 2020

JP(CO)

nvi/29.05.2020