

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.1211 of 2021

P.Kanakalakshmi

...Petitioner

Vs.

1.The Revenue Divisional Officer
Sholinganallur Taluk Office
Sholinganallur Post
Kancheepuram District.

2.The Tahsildar
Sholinganallur Taluk Office
Sholinganallur Post
Kancheepuram District.

3.S.Raji

4.The District Collector
Chennai.

[suo moto impleaded vide Order of this Court
dated 22.01.2021 in WP.No.1211 of 2021]

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 & 2 to consider the representation dated 19.11.2020 made by the petitioner.

For Petitioner : Mr.S.D.Devasanthi

For Respondents : Mrs.R.Janaki
Additional Government Pleader
for RR1, 2 & 4

ORDER

The petitioner has moved the respondents 1 & 2 for cancellation of patta No.3968 issued in favour of certain Raji, the third respondent herein, Vide her representation dated 19.11.2020. Since her representation was not considered, the petitioner has approached this Court in the present writ petition.

2. Mrs. R. Janaki, learned Additional Government Pleader takes notice for respondents 1 and 2, and has informed the Court that an enquiry on the petitioner's representation is scheduled to take place at 11.00 a.m., on 17.02.2021, in the office of the first respondent. The said statement is recorded.

3. This Court suo moto impleads the District Collector, Chennai, as the fourth respondent in this case and Mrs. R. Janaki, learned Additional Government Pleader takes notice for the newly impleaded fourth respondent.

4. Inasmuch as the date for enquiry is fixed by the respondent, no direction is required to be given except that the first respondent/Revenue Divisional Officer is directed to hold an enquiry after issuing notices to all the parties who are likely to be affected by his decision, and after providing the parties a fair and effective hearing and to dispose the matter through a speaking order within a period of six (6) weeks from 17.02.2021. The petitioner is now required to appear before the concerned authority on the date fixed for the enquiry.

5. If the first respondent finds that the third respondent's name was wrongly mutated in the revenue records, then he is required to state in his/her proceedings to be passed on the representation of the petitioner, the circumstances under which the third respondent's name was so mutated, whereupon the fourth respondent may enquire if any mischief was involved in the matter, and if there is any, what departmental action is proposed to be taken against the erring official. It is made clear that this is a broader view this Court expresses, but the first respondent is required to apply his mind only to the materials made available by the parties for taking a decision in the matter. What is to follow shall follow after the enquiry by the fourth respondent.

6. With the above directions, this writ petition is disposed of. No costs.

7. Post the matter for reporting compliance on 31.03.2021.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

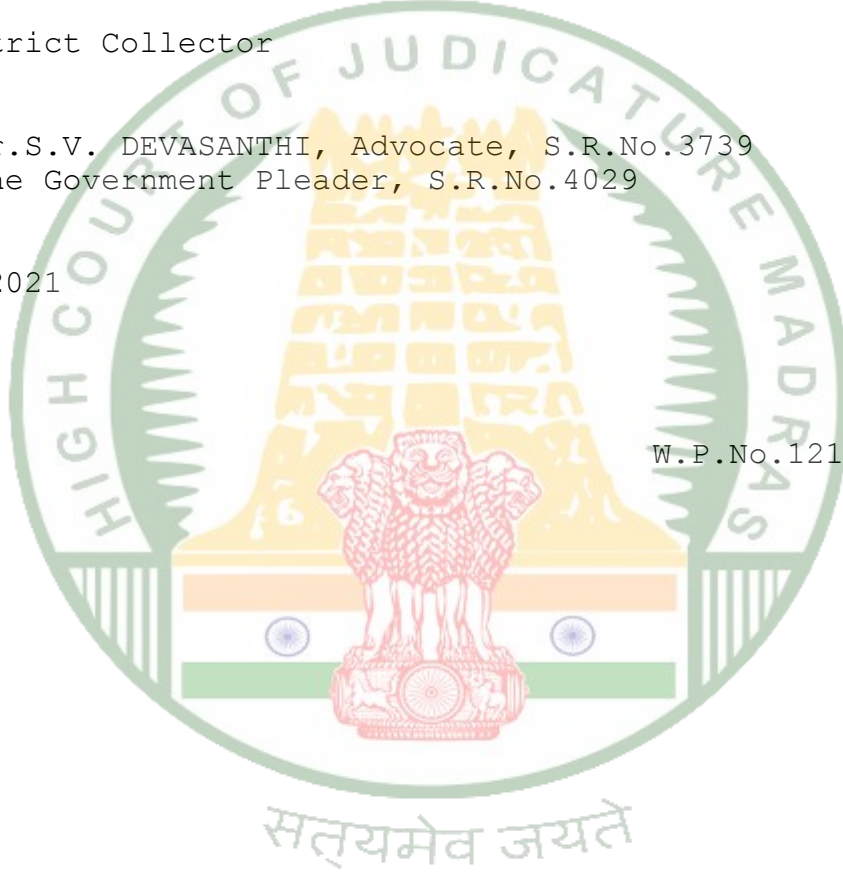
1.The Revenue Divisional Officer
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Sholinganallur Post
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3.The District Collector
Chennai.

+lcc to Mr.S.V. DEVASANTHI, Advocate, S.R.No.3739
+lcc to the Government Pleader, S.R.No.4029

GSM(CO)
SM/23/02/2021



W.P.No.1211 of 2021

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