

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2021

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.NO.28718 OF 2013

AND

M.P.NO.1 OF 2013

K.Dhanasekar

...Petitioner

Vs

1. The District Collector,
Collectorate,
Kancheepuram - 631 501.
2. The Assistant Director (Mines),
Kancheepuram, Kancheepuram.
3. The Revenue Divisional Officer,
Kancheepuram,
Kancheepuram District.
4. The Tahsildar,
Chengalpet.
5. The Block Development Officer,
Kattangalathur Panchayat Union,
Kancheepuram District.
6. The President,
Kattangalathur Panchayat Union,
Kancheepuram District.

7. S.Jayalakshmi

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the first respondent vide proceedings R.C.N4/447/2011 dated 15.06.2013 and quash the same.

For Petitioner	:	Ms.S.Varsha
For Respondents 1 to 6	:	Mr.V.Shanmugasundar, Special Government Pleader
For Respondent-7	:	Mr.A.S.Balaji

ORDER

The Writ Petition has been filed to call for the records of the first respondent vide proceedings R.C.N4/447/2011 dated 15.06.2013 and quash the same.

2. Heard both sides and perused the materials available on record.

3. The seventh respondent herein had earlier filed a Writ Petition in W.P.No.7272 of 2012, in which, the first respondent was directed to dispose of the representation dated 16.11.2011, after affording an opportunity of personal hearing to the petitioner therein and also to the persons concerned.

4. Pursuant to the said order, an enquiry was conducted and the order now under challenge dated 15.06.2013 was passed, which states that the lease granted to the petitioner herein had expired on 31.03.2013 and hence, the cancellation of the lease has become infructuous. Additionally, the District Collector, Kancheepuram has directed the Assistant Director (Mines), Kancheepuram/the second respondent herein not to issue or renew the licences to the disputed lands, as the title deeds were cancelled by the District Revenue Officer, vide proceedings N4/49386/2008 dated 27.07.2010.

5. It is now stated by the learned counsel for the petitioner that the order dated 30.04.2012 cancelling the Sale Deed Document No.2869 of 2001 was reversed on 28.05.2019 by the District Registrar, Chengalpet. The above observation was made by the District Collector only because there was a dispute in title between the petitioner and the seventh respondent.

6. It is always open to the authorities to issue or renew the licence, after considering the valid title of the respective parties, in accordance with law.

7. With the above observations, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

srn

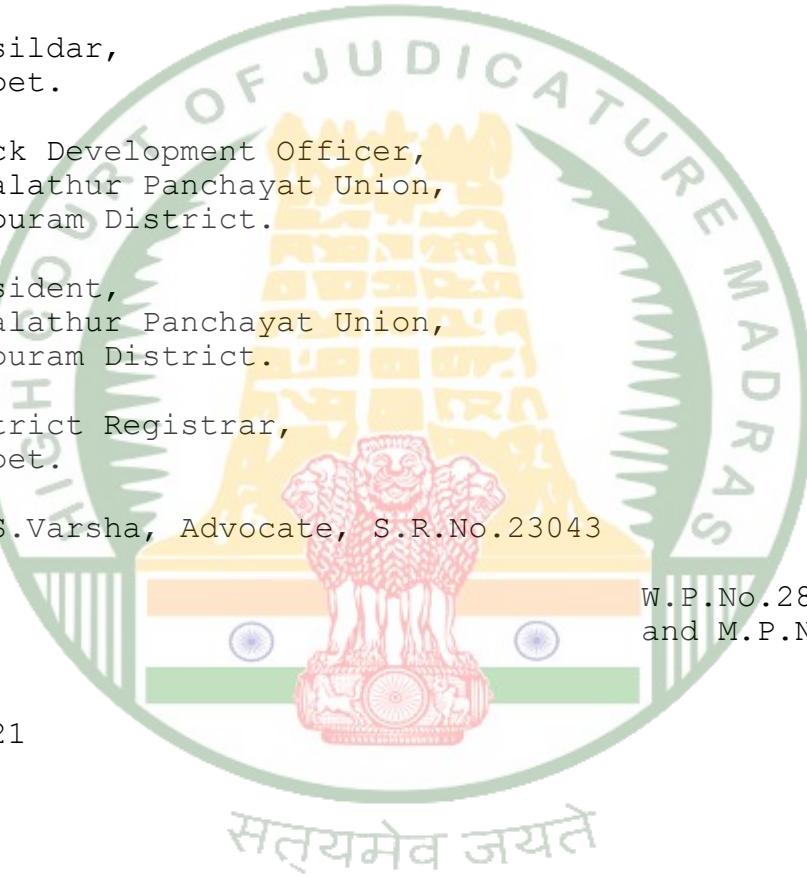
To

1. The District Collector,
Collectorate,
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2. The Assistant Director (Mines),
Kancheepuram, Kancheepuram.
3. The Revenue Divisional Officer,
Kancheepuram,
Kancheepuram District.
4. The Tahsildar,
Chengalpet.
5. The Block Development Officer,
Kattangalathur Panchayat Union,
Kancheepuram District.
6. The President,
Kattangalathur Panchayat Union,
Kancheepuram District.
7. The District Registrar,
Chengalpet.

+1cc to Ms.S.Varsha, Advocate, S.R.No.23043

W.P.No.28718 of 2013
and M.P.No.1 of 2013

GSM(CO)
CS/22/06/2021



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