



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

W.P. No. 33329 of 2013

and

M.P. No. 1 of 2013

B.R.Nageswara Rao

Rep. by his power agent M.Sekar

...Petitioner

Vs

1. The Tahsildar
Ambattur Taluk
Chennai - 53.

2. K.Muthulakshmi
(second respondent impleaded as per
court order dated 05.10.2021 in
MP.No.1 of 2014 in WP.No.33329 of 2013)

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned letter in Ref.No.Na.Ka.8055/2013/C3 dated 02.12.2013 issued by the respondent to the petitioner and quash the same and consequently permit the petitioner to represent through his power agent before the respondent.

For Petitioner : Mr.D.Senthil Kumaar,

For R1 : Mr.M.R.Gokul Krishnan
Government Advoate

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned letter in Ref.No.Na.Ka.8055/2013/C3 dated 02.12.2013 issued by the first respondent to the petitioner and quash the same and consequently permit the petitioner to represent through his power agent before the first respondent.



2. The learned counsel for the petitioner submitted that as directed by this Court in WP.No.16399 of 2010, the first respondent issued summon to conduct enquiry. However, the petitioner could not able to appear before enquiry and sought permission to appear through his pleader. The said request was rejected and as such the said summon is challenged in this writ petition. While pending the writ petition, the counter party i.e. the second respondent herein filed suit in OS.No.123 of 2014 on the file of the Sub Court, Poonamallee for declaration and injunction in respect of the very same subject property.

3. Considering the same, the first respondent is directed to conduct enquiry and pass orders subject to the result of the suit in OS.No.123 of 2014 on the file of the Sub Court, Poonamallee.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The Tahsildar
Ambattur Taluk
Chennai - 53.

+1cc to Mr.D.Senthil Kumaar, Advocate, S.R.No.52196
+1cc to the Government Pleader, S.R.No.52753

WP.No.33329 of 2013

SJ[co]
NSK 25/11/2021