



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.7365 of 2012
and
W.M.P.No.9397 of 2021

J.Ganessin

... Petitioner

Vs.

The Director
Director of Settlement
Survey and land Records.
Collectorate Building, Saram
Pondicherry-13.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records connected with the memorandum of order dated 13.02.2012 in Appeal No.2 of 2010 purported to be issued by the Respondent-Appellate Authority and quash the same and consequently direct the respondent to dispose the Appeal at an early date.

For Petitioner : Mr.J.Ganessin party in person

For Respondent : Mr.J.Kumaran
Additional Government Pleader
[Puducherry]

O R D E R

The Memorandum dated 13.02.2012 issued by the Director of Settlement, Puducherry is under challenge in the present writ petition.

2. The impugned memorandum states that the petitioner was already intimated to furnish the names and addresses of the interested parties/affected parties in connection with the appeal within 15 days to give fair opportunity to all concerned. In this regard, the petitioner appearing in person states that there is no third party interest involved in this case. If that is the case, the petitioner has to inform the said fact to the authorities competent enabling them to consider it. In respect of the other aspects, the memorandum asked the petitioner to furnish the clear description of properties, certified copies of the documents for the properties, details of Court cases, if any



pending. The petitioner has to furnish the details which all are available with him and if no particulars are available, then those facts may be intimated.

3. However, this Court cannot conduct an elaborate enquiry in respect of the nature of documents to be furnished and regarding the third party interest, if any involved in respect of the subject properties. All such adjudications are to be done before the competent authority in the manner known to law. The impugned memorandum is an opportunity to the petitioner to furnish all the details. Thus the details, informations, documents available as sought for may be provided by the petitioner enabling the authorities to consider the case. In the absence of any such information or document, the same may be intimated to the respondent enabling them to proceed with the appeal on merits and in accordance with law.

4. This being the procedures to be followed, the petitioner is at liberty to respond to the impugned memorandum dated 13.02.2012 within a period of two weeks from the date of receipt of a copy of this order and in the event of responding to the memorandum, the respondent is directed to proceed with the appeal and take a decision on merits and in accordance with law as expeditiously as possible.

5. With these observations, the Writ Petition stands dismissed. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Jeni/Cse

To
The Director
Director of Settlement
Survey and land Records.
Collectorate Building, Saram
Pondicherry-13.

+1cc to Mr.J.Ganessin, Advocate, S.R.No.66699
+1cc to the Government Pleader,Puducherry S.R.No.67658,66788.

W.P.No.7365 of 2012

EV(CO)
CT 04/01/2022