



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.41000 of 2015
and M.P.Nos.1 & 2 of 2015

B.Srinivasan

... Petitioner

-Vs-

1. The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 5.
2. The District Revenue Officer,
Kancheepuram.
3. The Revenue Divisional Officer,
Maduranthakkam,
Kancheepuram District.
4. The Tasildar,
Maduranthakkam Taluk,
Kancheepuram District.

5. M.Ekambara Pathar

... Respondents

Prayer :-

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the first respondent pursuant to the order dated 17.12.2015 made in his proceedings D.Dis.K3/13746/2007 confirming the order dated 17.04.2007 made in his proceedings Na.Ka.No.62932/99 N4 passed by the second respondent and order dated 08.07.2000 made in his proceedings O.Mu.2600/2000/D passed by the third respondent, quash the said orders dated 17.12.2015, 17.4.2007 and 8.7.2000 and consequently direct the fourth respondent Tahsildar to transfer the patta No.56 dated 27.6.1994 in favour of the legal representatives of the deceased C.Balasundaram.



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For Petitioner : Mr.P.Anbarasan
For Respondents
For R1 to R4 : Mr.Richardson Wilson
Government Advocate
For R5 : Mr.M.S.Palaniswamy

ORDER

The Writ Petition has been filed to call for the records of the first respondent pursuant to the order dated 17.12.2015 made in his proceedings D.Dis.K3/13746/2007 confirming the order dated 17.04.2007 made in his proceedings Na.Ka.No.62932/99 N4 passed by the second respondent and order dated 08.07.2000 made in his proceedings O.Mu.2600/2000/D passed by the third respondent, quash the said orders dated 17.12.2015, 17.04.2007 and 08.07.2000 and consequently direct the fourth respondent Tahsildar to transfer the patta No.56 dated 27.6.1994 in favour of the legal representatives of the deceased C.Balasundaram.

2. Today, when the matter is taken up for hearing, both the learned counsels appearing on either side submitted that the fifth respondent filed suit, in respect of the issue involved in the present Writ Petition, in O.S.No.72 of 2016 on the file of the Subordinate Court, Maduranthakkam, for declaration and injunction in respect of the subject property and the same is pending. They further represented that the suit may be disposed of without influencing the orders passed by the revenue authorities within the stipulated time.

3. Considering the submission made by the learned counsels on either side, the learned Subordinate Judge, Maduranthakkam, is directed to dispose the suit in O.S.No.72 of 2016 without influencing the orders passed by the revenue authorities concerned, with regard to the suit property, within a period of one year from the date of the receipt of a copy of this Order.

4. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rts



To

1. The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 5.

2. The District Revenue Officer,
Kancheepuram.

3. The Revenue Divisional Officer,
Maduranthakkam,
Kancheepuram District.

4. The Tasildar,
Maduranthakkam Taluk,
Kancheepuram District.

Copy to:-

The Subordinate Judge,
Madurantagam.

+2cc to Mr.T.Sellapandian, Advocate, S.R.No.37586 (17/09/2021)
+1cc to Mr.M.S.Palaniswamy, Advocate, S.R.No.37606
+1cc to the Government Pleader, S.R.No.37713

W.P.No.41000 of 2015
and M.P.Nos.1 & 2 of 2015

KSM(CO)
CT/01/09/2021