



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2021

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.13726 OF 2021

N.Balakrishnan

... Petitioner

.Vs.

1. The District Collector,
Thiruvallur,
Thiruvallur District.

2. The Revenue Divisional Officer,
Thiruvallur,
Thiruvallur District.

3. The Tahsildar,
Poonamallee Taluk,
Thiruvallur District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to afford opportunity to the petitioner of being heard by considering the objections raised by the petitioner by way of representation dated 29.03.2021 in the proceeding conducted by the 3rd respondent in pursuant to the order of this Court dated 24.02.2021 in W.P.No.4109 of 2021.

For Petitioner .. Mr.S.Sai Shankar

For Respondents .. Mr.Yogesh Kannadasan
(Govt.Advocate)

ORDER

This writ petition has been filed in the nature of Mandamus seeking a direction to the 3rd respondent namely, the Tahsildar, Poonamallee Taluk, Thiruvallur District, to afford an opportunity to the petitioner of being heard by considering the objections raised by the petitioner by way of representation



dated 29.03.2021 in the proceeding now being conducted by the said official pursuant to the order of this Court in W.P.No.4109 of 2021 dated 24.02.2021, T.Sundaresan Vs. The District Collector and two others.

WEB COPY

2. The learned Single Judge of this Court had directed the 3rd respondent therein namely, the Tahsildar, Poonamallee Taluk, Thiruvallur District, to hold an enquiry after issuing notice to all the parties and dispose of the representation given by the writ petitioner therein dated 10.12.2020 within a period of twelve weeks from the date of service of that particular order copy. The order had been received by the 3rd respondent, Tahsildar. He had then commenced enquiry. Notice had been issued to the present petitioner to participate in the enquiry.

3. The grievance of the petitioner herein is that the 3rd respondent, Tahsildar, is apparently not receiving the documents furnished by him with true spirit.

4. A direction is given to the 3rd respondent, Tahsildar, to receive documents not only of the T.Sundaresan, who had given a representation originally, but also of the petitioner herein. There is an obligation placed on him to hear and enquire both the parties and also to examine the revenue records and to examine the judgment passed in O.S.No.1142 of 1982 by the Munsif Court, Poonamallee dated 18.09.1989. The 3rd respondent, Tahsildar, may therefore, proceed with the enquiry as directed in W.P.No.4109 of 2021 and consider the representation and thereafter, proceed to pass a considered order. No further orders are required.

5. With the said observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smv

To

1. The District Collector,
Thiruvallur,
Thiruvallur District.



2. The Revenue Divisional Officer,
Thiruvallur,
Thiruvallur District.

3. The Tahsildar,
Poonamallee Taluk,
Thiruvallur District.

Copy To:

The Munsif Court,
Poonamallee.

+1cc to the Government Pleader, S.R.No.40772

W.P.NO.13726 OF 2021

SSV(CO)
PBS/02/09/2021