



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.NO.17404 OF 2021

G.Muniraj

.. Petitioner

Versus

1. The Revenue Divisional Officer,
Central Chennai, Chennai.
2. The Tahsildar,
Ayanavaram Taluk,
Chennai.
3. Deputy Commissioner,
Education Department,
Corporation of Greater Chennai,
Chennai 600 003.

4. Lakshmi

.. Respondents

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Revenue Divisional Officer, Central Chennai, the first respondent herein to collect the school records of Mohan, the husband of Smt. Lakshmi and Muniraj, the petitioner herein from the Deputy Commissioner, Education Department, Corporation of Greater Chennai, the third respondent herein that are available in Corporation School at No.72, Muthiah Mudali Street, Vellala Tenampet, Chennai, where both Mohan and Muniraj studied and furnish the copies of the same along with other other documents filed by Smt.Lakshmi to Muniraj, the petitioner herein and conduct the enquiry and complete the same within a time frame fixed by this Court.

For Petitioner : Dr.A.E.Chelliah, Senior Advocate
for Mrs.Vasanthakumari Chelliah

For Respondents : Mr.Stalin Abhimanyu
Govt.Advocate for R1 & R2

Mr.P.Manojkumar for R3
Mr.A.Sathya Murthy for R4



O R D E R

The petitioner has come forward with this writ petition seeking a direction to the first respondent to collect the school records of Mohan/husband of the fourth respondent and the petitioner, from the third respondent that are available in Corporation School at No.72, Muthiah Mudali Street, Vellala Tenampet, Chennai, furnish the copies of the same along with other documents filed by the fourth respondent to the petitioner, conduct the enquiry and complete the same within a time frame to be fixed by this Court.

2. It is seen from the affidavit filed in support of the writ petition that the petitioner filed a Civil Suit No. 170 of 2019 against one Meganathan and the fourth respondent for recovery of possession of the property. The property covered in the suit, according to the petitioner, is the property owned by his father C.K. Ganesan, whereas according to the fourth respondent, she has right over the said property, stating that the said C.K.Ganesan is her father-in-law. It is further stated that when the suit was listed for cross-examination of the said Meganathan and Lakshmi/fourth respondent before the learned II Additional Master of this Court, the fourth respondent filed Writ Petition No.683 of 2021 for a mandamus to direct the Revenue Divisional Officer, Central Chennai to consider her representation dated 09.10.2020 and to cancel the legal heir certificate dated 01.08.2018 issued to the petitioner. Upon notice, the learned Government Counsel, who appeared for the respondents in WP No. 683 of 2021, has stated that the Revenue Divisional Officer has fixed the date for enquiry as 10.05.2021, on the basis of the representation of the fourth respondent. In view of such submission, this Court disposed of WP No. 683 of 2021 on 03.03.2021 with a direction to conclude the enquiry within a period of four weeks. Pursuant to the said order dated 03.03.2021, the petitioner submitted a representation on 05.03.2021 to the first respondent to furnish a copy of the representation given by the fourth respondent along with the documents enclosed therewith. However, those documents were not furnished to him. The petitioner was also present in the office of the first respondent on 10.05.2021 at 3.30 pm but no enquiry was conducted on that date. In those circumstances, he has come up with this writ petition for the aforesaid relief.

3. Heard the learned senior counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. It is seen that pursuant to the order dated 03.03.2021 passed by this Court in WP No. 683 of 2021 filed by the fourth respondent, the first respondent is proceeding with an enquiry. Even though the petitioner is inclined to participate in the



enquiry, his grievance appears to be that the first respondent has not furnished a copy of the representation dated 09.10.2020 submitted by the fourth respondent along with the documents annexed therewith, which formed the basis for conducting such enquiry. In this regard, the petitioner submitted representations on 05.03.2021 and 05.05.2021, but he has not been furnished the copies of the documents sought for by him.

5. In such circumstances, this court deems it appropriate to direct the first respondent to consider the representations dated 05.03.2021 and 05.05.2021 of the petitioner and furnish the copies of the representation dated 09.10.2020 along with the documents annexed by the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order. It is needless to mention that after furnishing the copies of the documents sought by the petitioner, the first respondent shall afford an opportunity of hearing to the petitioner and the fourth respondent herein, conduct enquiry and pass orders thereon, as expeditiously as possible. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

1. The Revenue Divisional Officer,
Central Chennai, Chennai.
2. The Tahsildar,
Ayanavaram Taluk, Chennai.
3. Deputy Commissioner,
Education Department,
Corporation of Greater Chennai,
Chennai 600 003.

+1cc to Mr.A.Sathiya Prakash, Advocate, S.R.No.50275
+3cc to M/s.C.Vasanthakumari Chelliah, Counsel, S.R.No.53647
+1cc to the Government Pleader, S.R.No.50524

WP.No.17404 of 2021

KJ(CO)
CS/22/10/2021