

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.24408 of 2018

Tmt.S.Thangam Santhanam

.. Petitioner

Vs.

1.The District Collector
Office of the Collectorate
Kancheepuram District

2.The Tahsildhar
Sholinganallur Taluk
Kancheepuram District

3.The Revenue Divisional Officer
Office of the RDO
Sholinganallur, Kancheepuram District

.. Respondents

* * *

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records of the impugned proceedings of the 2nd respondent in Na. Ka. No.8989 of 2017 PT:2017/0105/03/10/617 dated 19.04.2018 and to quash the same and issue a direction to issue patta based on the decision made by the Hon'ble Division Bench in W.P. No.19673 of 2001 dated 07.08.2009.

* * *

For Petitioner : Mr.B.Dhiyaneswaran

For Respondents : Ms.A.Madhumathi
Special Govt. Pleader

O R D E R

This writ petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the entire records of the impugned proceedings of the 2nd respondent in Na. Ka. No.8989 of 2017 PT:2017/0105/03/10/617 dated 19.04.2018 and to quash the same and issue a direction to the respondents to issue patta based on the decision made by the Hon'ble Division Bench of this court in W.P. No.19673 of 2001 dated 07.08.2009.

2. During the course of hearing, learned Special Government Pleader, appearing for the respondents, conceded that the impugned order of the second respondent dated 19.04.2018 was passed without considering the direction of this court earlier in a writ petition in W.P. No.19673 of 2001.

3. Having regard to the facts narrated in the affidavit filed in support of the writ petition and the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, this court is of the view that the impugned order is liable to be set aside on the short ground that the second respondent has passed the impugned order dated 19.04.2018 without considering the decision of this court in W.P. No.19673 of 2001.

4. Accordingly, the writ petition is allowed. The impugned order of the second respondent dated 19.04.2018 is quashed. However, the second respondent is directed to pass appropriate orders, after hearing the petitioner and considering the legal implication of the order passed by this court in W.P. No.19673 of 2001 dated 07.08.2009. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

Asr

To

- 1.The District Collector
Office of the Collectorate
Kancheepuram District
- 2.The Tahsildhar
Sholinganallur Taluk
Kancheepuram District
- 3.The Revenue Divisional Officer
Office of the RDO
Sholinganallur, Kancheepuram District

+2CC TO MR.M.BALASUBRAMANIAN, ADVOCATE, SR.NO. 18535

+1CC TO M/S.SPECIAL GOVERNMENT PLEADER, SR.NO. 18191

W.P.No.24408 of 2018

PMK (CO)
KKN 22.04.2021