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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.11392 of 2014

U.Vasanthi

...Petitioner

-Vs-

1. The District Collector,  
Tiruvallur District,  
Tiruvallur.
2. The District Revenue Officer  
Tiruvallur District,  
Tiruvallur.
3. The Revenue Divisional Officer,  
Ponneri Revenue Division,  
Ponneri - 601 204.
4. The Tahsildar,  
Ponneri Taluk,  
Ponneri - 601 204.
5. V.Shanmugam
6. V.Kokila
7. V.Thulasibai

...Respondents

Prayer :- Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the third respondent to pass final orders in the proceeding in Na.Ka.2712/2013/A1 dated 29.06.2013 initiated by him on the petitioner's petition dated 24.06.2013 for cancellation of patta wrongly issued in the name of the respondents 5 to 7 in respect of the agricultural Nanja land measuring an extent of Acres 0.58 cents, comprised in survey No.306/3B, situated in Arani Village, Ponneri Taluk, Thiruvallur District.

|                 |   |                      |
|-----------------|---|----------------------|
| For Petitioner  | : | Mr.Surya Sankar      |
|                 |   | For Mr.R.Munuswamy   |
| For Respondents |   |                      |
| For R1 to R4    | : | Mr.Richardson Wilson |
|                 |   | Government Advocate  |
| For R5 to R7    | : | Mr.V.T.Narendiran    |



## ORDER

The Writ Petition has been filed to direct the third respondent to pass final order in the proceeding in Na.Ka.2712/2013/A1 dated 29.06.2013 initiated by him on the petitioner's petition dated 24.06.2013 for cancellation of patta wrongly issued in the name of the respondents 5 to 7 in respect of the agricultural Nanja land measuring an extent of Acres 0.58 cents, comprised in survey No.306/3B, situated in Arani Village, Ponneri Taluk, Thiruvallur District.

2. The learned counsel appearing for the petitioner would submit the petitioner submitted his representation dated 24.06.2013, to the third respondent to conduct enquiry and to cancel the patta which was issued in favour of the respondents 5 to 7. On receipt of the same, the third respondent issued summons vide proceeding in Na.Ka.2712/2013/A1 to the parties concerned on 29.06.2013, thereby called upon the parties to attend the enquiry to be held on 15.07.2013. Thereafter, the third respondent did not conduct any enquiry and simply kept the matter pending. Therefore, he prayed to direct the third respondent to conduct enquiry and to cancel the patta, issued in favour of the respondents 5 to 7.

3. The learned counsel appearing for the respondents 5 to 7 submitted that in this regard, already civil suits are pending between the parties as such, the third respondent could not pass orders, when the suits are pending in respect of the very same property. Therefore, he prayed for dismissal of this Writ Petition.

4. At that juncture, the learned counsel appearing for the petitioner submitted that the civil suit ended in favour of the petitioner and prayed for direction to direct the third respondent to pass orders.

5. Heard Mr.Surya Sankar, learned counsel appearing for the petitioner, Mr.V.T.Narendiran, learned counsel appearing for the respondents 5 to 7 and Mr.Richardson Wilson, learned counsel appearing for the respondents 1 to 4.

6. Admittedly, the petition filed by the petitioner is pending for enquiry in Na.Ka.2712/2013/A1 on the file of the third respondent, after issuance of summons to the parties concerned. Without going into merits of the case, the third respondent is directed to complete the enquiry, after affording opportunity of hearing and filing documents to both the parties and pass orders on merits and in accordance with law, if not already disposed of, within a period of twelve weeks from the date of the receipt of a copy of this Order.



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7. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,  
Tiruvallur District,  
Tiruvallur.
2. The District Revenue Officer  
Tiruvallur District,  
Tiruvallur.
3. The Revenue Divisional Officer,  
Ponneri Revenue Division,  
Ponneri - 601 204.
4. The Tahsildar,  
Ponneri Taluk,  
Ponneri - 601 204.

+1 CC to Mr.R.Munuswamy, Advocate, Sr.No. 37972.  
+1 CC to The Government Pleader, Sr.No. 37694.  
+1 CC to Mr.V.T.Narendiran, Advocate, Sr.No. 38193.

W.P.No.11392 of 2014

CA(CO)  
LS(03/09/2021)