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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM:

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P. No.18979 of 2021

and WMP Nos.20235, 20238 and 20240 of 2021

T.V.Nagar Industrial Estate Owner's Association
(Regn No.195 of 2014)

Rep. by its President M.S.Venkatesan

.. Petitioner

Vs

1.The Commissioner
Greater Corporation of Chennai
Ripon Building, Chennai

2.The Tahsildar,
Alandur Taluk
Chennai 600 016.

3.The Revenue Inspector,
Mugalivakkam
Chennai 600 089.

4.K.Ramachandran

5.K.Parthiban

6.G.Thirumurthy

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records pertaining to the 2nd respondent's impugned letter in ref.ஆ1/006/2021 dated 12.08.2021 and quash the same.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Ms.P.T.Rama Devi for R1

Mr.A.Selvendran for R2 & R3
Government Advocate



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to 4 submitted that the second respondent has already called the parties for enquiry on 23.12.2020 at 11.00 A.M. The learned counsel further submitted that the representatives of the petitioner association can be present at the time of enquiry along with all the relevant documents.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the second respondent has already called the parties for enquiry, there shall be a direction to the second respondent to proceed further after affording opportunity to the petitioner and respondents 5 to 7 and pass final orders strictly in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order."

3. Pursuant to the above order, the second respondent proceeded to issue the impugned letter dated 12.08.2021 to the Assistant Commissioner, Zone 12, Greater Corporation of Chennai. Aggrieved by the same, the present writ petition has been filed before this Court.

4. Heard the learned counsel for the petitioner, learned counsel for the first respondent and the learned Government Advocate appearing on behalf of the respondents 2 and 3.

5. In the considered view of this Court, the second respondent, namely, the Tahsildar, Alandur Taluk, has not followed the directions issued by this Court in the earlier order passed in W.P.No.19041 of 2020. This Court made it clear that the second respondent must give an opportunity to the petitioner and the private respondents and only thereafter should take a decision. Apparently it has not been done by the second respondent and the same is clear from the impugned letter dated 12.08.2021. The second respondent has straight away proceeded to issue the impugned letter to the Assistant Commissioner without considering the objections made by the petitioner Association.

6. In view of the above, the impugned letter dated 12.08.2021 issued by the second respondent is liable to be



interfered with by this Court and accordingly, the same is hereby quashed. There shall be a direction to the second respondent to strictly comply with the earlier order passed by this Court in W.P.No.19041/2020 by affording an opportunity to the parties and thereafter shall take a decision in accordance with law. This process shall be completed by the second respondent within a period of four weeks from the date of receipt of a copy of this order.

7. In the result, the writ petition is allowed with the above direction. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

RR

To

1.The Commissioner
Greater Corporation of Chennai
Ripon Building, Chennai

2.The Tahsildar,
Alandur Taluk
Chennai 600 016.

3.The Revenue Inspector,
Mugalivakkam
Chennai 600 089.

+1CC to M/s.P.T.Ramadevi, Advocate, SR.No.45942
+1CC to The Government Pleader, SR.No.46136

W.P.No.18979 of 2021

KSM(CO)
B.VC (21/09/2021)