

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.Nos.18762 of 2020 & W.P.No.4445 of 2020
and WMP.Nos.23316 & 5262 of 2020

A.R.Sridharan

... Petitioner in both WPs

Vs.

1.The Director of Survey and Settlement
Survey House
Chepauk, Chennai - 600 005.

2.The Settlement Officer
Office of the Director of Survey and Settlement
Survey House
Chepauk, Chennai - 600 005.

..... Respondents 1 & 2 in both WPs

3.Associated Trading Corporation (P) Ltd.,
Rep by its Director
No.22, V.P.Rathinasamy Nadar Road
Madurai - 625 007.

..... 3rd Respondent in W.P.No.18762 of 2020

4.The Inamdar
Adambakkam Village
Thiruvannamalai, Adhinam
Kundrakudi Madam, Kundrakudi
Sivagangai District - 630 206.

..... 4th Respondent in W.P.No.18762 of 2020

5. M/s. Associated Trading Corporation Pvt Ltd.,
Rep by its Directors
C/o. M/s.Rukmini Mills Ltd
Silaiman, Madurai - 625 201.

..... 3rd Respondent in W.P.No.4445 of 2020

Prayer in WP.No.18762 of 2020 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petition / representation for impleading filed by petitioner dated 04.08.2020 for impleading (i) The Inamdar, Adambakkam Village, Thiruvannamalai Adinam - Kundrakudi Madam, Kundrakudi, Sivagangai District - 630 206 (ii) M/s. Associate Trading Corporation (P) Ltd., represented by its Director, No.22, Rathinasamy Nadar Road, Madurai - 625 007, in the proceedings pending before the second

respondent namely R.C.No.E-4/987/2020 in T.S.No.138, within a stipulated time and pass suitable orders in accordance with law, before the final enquiry and grant such other suitable reliefs.

Prayer in WP.No.4445 of 2020 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to consider and pass suitable orders in the representation dated 24.01.2020 sent by the petitioner seeking for survey of lands at Survey Nos.3 (Paimash Nos.721 & 722) as per the order dated 04.01.2007 passed in W.P.No.7890 of 2007, before the final enquiry and grant such other suitable reliefs.

For Petitioners: Mr.C.Umashankar

For Respondents: Mr.M.Manigopi

Government Advocate [R1 & R2]

COMMON ORDER

These writ petitions are filed seeking a mandamus (i) to direct the respondents to consider his representation dated 04.08.2020 for impleading certain parties in the proceedings pending before the second respondent (in W.P.No.18762 of 2020) and (ii) to direct the second respondent to survey his lands based on his representation dated 24.01.2020, pursuant to the order of this Court dated 04.01.2007 in WP.No.7890 of 2007 (in W.P.No.4445 of 2020).

2. Heard the learned counsel for the petitioner and Mr.M.Manigopi, learned Government Advocate for respondents 1 and 2.

3. The prayer in W.P.No.18762 of 2020 is that the petitioner herein wants to implead to other parties viz., the third and fourth respondents herein, in order, the second respondent may have a comprehensive hearing in the pending proceedings for cancellation of patta. Insofar as W.P.No.4445 of 2020 is concerned, a direction is sought to survey the lands, which is the matter pending before the Settlement Officer.

4. Today, Mr.M.Manigopi, learned Government Advocate makes a statement that the representation of the petitioner for impleading the two other parties have been allowed by the Settlement Officer and that he has also fixed the enquiry in the matter at 3.30 a.m., on 21.01.2021 in the office of the second respondent.

5. In view of the developments, no further order is required to be passed in the petition in W.P.No.18762 of 2020 and hence, this petition stands closed. Inasmuch as the Settlement Officer has already fixed the date for enquiry, he is required to dispose of the petitioner's representation dated 24.01.2020 within a period

of twelve (12) weeks from 21.01.2021, after providing fair and effective hearing to all the parties including the parties he who has decided to hear as required by the petitioner, through a speaking order. Accordingly, the petition in W.P.No.4445 of 2020 is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

6. Post the matter for reporting compliance on 16.04.2021.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To:

1.The Director of Survey and Settlement
Survey House
Chepauk, Chennai - 600 005.

2.The Settlement Officer
Office of the Director of Survey and Settlement
Survey House
Chepauk, Chennai - 600 005.

+lcc to Mr.C.Uma Shankar, Advocate, S.R.No. 1564

+lcc to the Government Pleader, S.R.No. 1640

W.P.Nos.18762 of 2020

& W.P.No.4445 of 2020

and WMP.Nos.23316 & 5262 of 2020

SMI (CO)

GN(09/02/2021)

WEB COPY