

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.33791 of 2019
& WMP No.34293 of 2019

IDA Dheena Theophilus

... Petitioner

-Vs-

1. The Collector,
Kancheepuram District.
2. The District Revenue Officer,
Kancheepuram District.
3. The Revenue Division Officer,
Kancheepuram.
4. The Tahsildar,
Sriperambudhur.
5. Inspector of Police,
Manimangalam Police Station,
Kancheepuram District.
6. Miss Archana
7. Mrs.Arpana Girish
8. Mrs.Santhiya Ravikumar
9. Mr.T.Sundar
10. The Tahsildar,
Kundrathoor
11. The Revenue Divisional Officer,
Sriperambudur

R-11 is suo motu impleaded vide order
of this Court, dated 18.02.2021

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the impugned Patta Nos. 1692 1693 1978 and 2093 in the names of the 6th to the 9th respondents by the 4th respondent as non-est in the eye of law and as null and void and consequently direct the 5th respondent to register a F.I.R against the 6th to the 9th respondents herein within a time frame that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.K.S.Govinda Prasad

For Respondents: Mr.E.Balamurugan, Spl.GP for R1to R5
Mr.R.Sivaraman for R6 to R8
Mr.K.Mahalingam, for R9

ORDER

The present petition is filed by the petitioner, praying for the issuance of Writ of Declaration, to declare that the impugned Patta Nos. 1692 1693 1978 and 2093 in the names of the 6th to the 9th respondents by the 4th respondent as non-est in the eye of law and as null and void and consequently direct the 5th respondent to register an F.I.R against the respondent Nos.6 to 9 here within a time frame that may be stipulated by this Court.

2. According to the petitioner, she has purchased a property measuring 43 cents in S.No.238/2 vide Sale Deed dated 05.09.1985. It is the further case of the petitioner that a plot has been sub-divided whereupon, her property came to be enbrought in S.No.238/2B. The petitioner claims that suddenly, the Sub Division No.238/2B has vanished without any notice to her and a patta granted to her also suo motu came to be cancelled. Now the petitioner has moved the 3rd respondent with a sequence of representations/applications commencing from 27.10.2017 and last of such representation is dated 18.11.2019.

3. Mr.E,Balamurugan, Spl.Government Pleader appearing on behalf of the respondents 1 to 5 would submit that after District bifurcation, presently, an enquiry has to be conducted by the Revenue Divisional Officer, Sriperambudur.

4. Accordingly, this Court suo motu impleads the RDO, Sriperambudur as the 11th respondent to the present writ proceedings.

5. The learned Spl.Government Pleader further submits that the enquiry is scheduled to take place on 22.02.2021 at 11.00 a.m. at the Office of the 11th respondent, RDO, Sriperambudur.

6. The said statement of the learned Spl.Government Pleader is recorded.

7. Heard Mr.R.Sivaraman, learned counsel appearing for respondent Nos.6 to 8 and Mr.K.Mahalingam, learned counsel appearing for respondent No.9.

8. Inasmuch as a date of enquiry is now fixed by the 11th respondent, all the parties who are interested in participating the enquiry, are required to appear before the RDO, Sriperambudur on 22.02.2021 at 11.00 a.m. with all necessary materials to enable the RDO to appreciate the controversy between the parties.

9. Since the enquiry is already fixed, no further direction is required to be made except that the 11th respondent is directed to issue notice to all the parties who are likely to be affected by his decision and after providing the parties a fair and effective hearing, to dispose of the matter through a speaking order within a period of twelve (12) weeks from the date of service of order copy, subject to such time that may be lost in responsibilities connected with the ensuing General Election of the Tamil Nadu State Legislative Assembly, 2021. It is underscored that the petitioner is about 92 years old, therefore, some urgency may be shown to this case.

10. The Writ Petition is disposed of accordingly. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Collector,
Kancheepuram District.
2. The District Revenue Officer,
Kancheepuram District.
3. The Revenue Division Officer,
Kancheepuram.
4. The Tahsildar,
Sriperambudhur.
5. Inspector of Police,
Manimangalam Police Station,
Kancheepuram District.

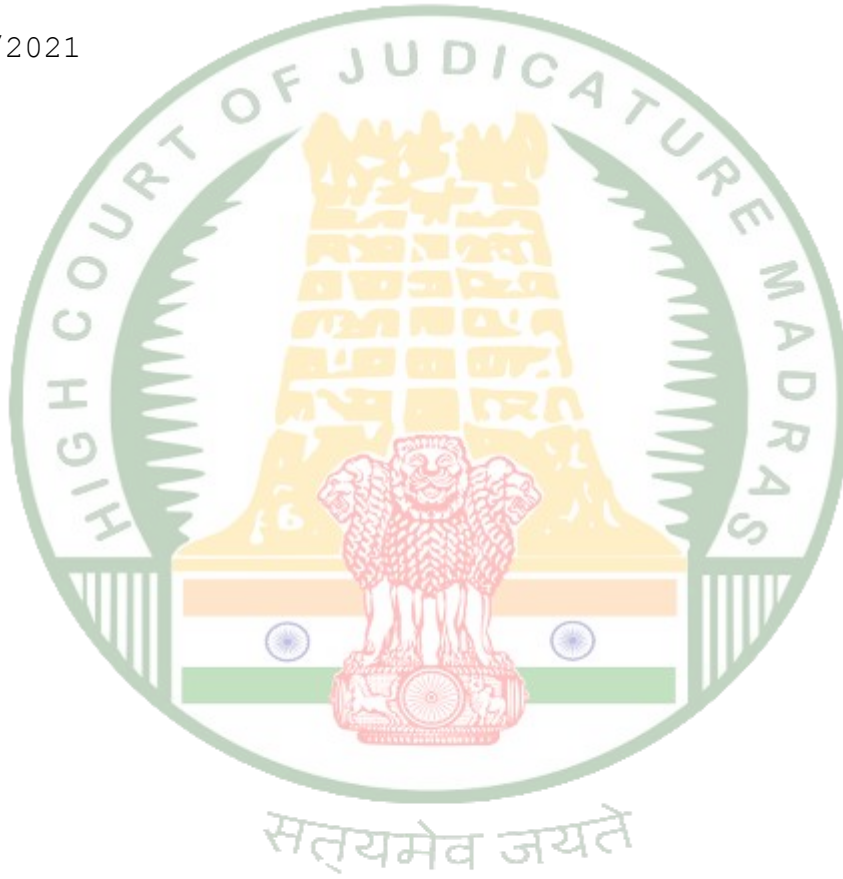
6. The Tahsildar,
Kundrathoor

7. The Revenue Divisional Officer,
Sriperambudur

+1cc to the Government Pleader Sr.9905

W.P.No.33791 of 2019

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srg 19/02/2021



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