



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10775 of 2011

And

M.P.No.1 of 2011

R.Jeyachandran

... Petitioner

Vs.

1. State of Tamil Nadu
Rep. by: The Secretary to Govt.,
Revenue Department,
Fort St.George,
Chennai - 9.
2. The Special Commissioner and
Commissioner of Land Administration,
Chepauk,
Chennai - 600 005.
3. The Tahsildar,
Alandur Taluk,
Alandur,
Kancheepuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records in K1/51512/01 on the file of the second respondent and quash the show cause notice dated 21.06.2004 issued by the second respondent in K1/51512/01.

For Petitioner : Mr.M.Sathish

For Respondents : Mr.G.Nanmaran

Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records in K1/51512/01 dated 21.06.2004 on the file of the second respondent and to



quash the same.

2.The case of the petitioner is that the Assistant Settlement Officer granted ryotwari patta in favour of the petitioner's father on 24.12.1999 and the same was challenged by way of suo motu revision at the instigation of the Special Officer. Thereby, the second respondent issued the impugned show cause notice. In response to the same, the petitioner's father filed his objections on 21.07.2004. However, there was no response. The petitioner's father died on 16.07.2005. Hence, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that when there is appeal remedy available, suo motu revision is not sustainable. The learned counsel further submitted that though there are arguable points available in the writ petition, liberty may be granted to the petitioner to canvass all the points before the second respondent including the jurisdictional point, in the impugned show cause notice.

4.In view of the above, this Court without expressing any opinion on the merits of the case, grants liberty to the petitioner to canvass all the points before the second respondent including the jurisdictional point in the impugned show cause notice. The second respondent after affording opportunity of hearing to the petitioner, shall pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 9.



3. The Tahsildar,
Alandur Taluk,
Alandur,
Kancheepuram District.

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