



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

Coram

The Hon'ble Mr. Justice PARESH UPADHYAY
and

The Hon'ble Mr. Justice SATHI KUMAR SUKUMARA KURUP

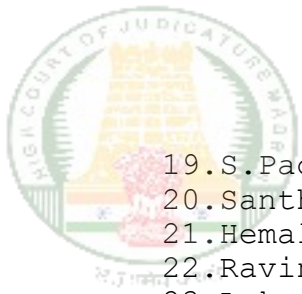
W.A.No.3047 of 2021
and C.M.P.Nos.21014 and 21018 of 2021

- 1.S.Krishnamurthy
- 2.S.Muthusamy
- 3.S.Gopal
- 4.Shanmugam
- 5.Venugopal
- 6.Ezhilarasi

rep. by their Power Agent N.Veerappan ..Appellants/Petitioners

Vs

- 1.The District Revenue Officer,
District Collector Office,
Kancheepuram.
- 2.The Revenue Divisional Officer,
Chengalpattu.
- 3.The Tashildar,
Tiruporur Taluk,
Kancheepuram District.
- 4.S.Vijaya
- 5.S.Naresh
- 6.Abel
- 7.Chockalingam
- 8.Elangovan
- 9.S.Kavitha
- 10.D.Karthi
- 11.Lavanya
- 12.R.Loganathan
- 13.Murugan
- 14.S.Naresh
- 15.Kamesh
- 16.Santha Gowri
- 17.Suresh
- 18.K.Parimala



19.S.Padmavathi
20.Santha
21.Hemalatha Kanmani
22.Ravindrakumaran
23.Lokeshwaran
24.M.Santhagowri
25.V.M.Prakash
26.V.M.Dharmaprabha
27.V.M.Sasiprabha

..Respondents

Appeal preferred under Clause XV of Letters Patent against the order dated 24.02.2020 made in W.P.No.13538 of 2016.

Prayer in W.P.No.13538 of 2016 : Filed under Article 226 of the Constitution of India to issue a writ of certiorari or any other appropriate writ, order or direction in the nature of certiorari Calling for the records relating to the proceedings of the First Respondent in Na/Ka/27450/14/N4 dated 20.01.2016 and quash the same.

For Appellants .. Mr.N.Sivaprakash

JUDGMENT
(Delivered by PARESH UPADHYAY, J.)

Challenge in this appeal is made to the order dated 24 February 2020 recorded on W.P. No.13538 of 2016, whereby the writ petition is dismissed by learned single Judge. This appeal is by the original writ petitioners.

2. Learned advocate for the appellants has submitted that the impugned order of learned single Judge is erroneous inasmuch as even the liberty to approach the civil Court or the Tahsildar was not granted. It is submitted that interference in the order of the first respondent also needs closer scrutiny and therefore this appeal be entertained.

3. Having heard learned advocate for the appellants and having considered the material on record, this Court finds that the power of attorney holder of the original writ petitioners attempted to unsettle the revenue record after about a century through the second respondent, which the first respondent did not approve. It is this cause of action which is not entertained by learned single Judge while rejecting the writ petition. Learned single Judge further confirmed the order passed by the first respondent inter alia holding that there was no occasion for the second respondent to pass the order which was the subject matter before the first respondent.



4. The tenor of the impugned order goes to show that, firstly the second respondent was not the proper authority to do so because it was for the Tahsildar to look into it and secondly the attempt on the part of the second respondent was to unsettle the revenue record which had remained as it is for over a century. Noting these glaring aspects, learned single Judge made certain observation which according to us, not only does not call for any interference in this intra-court appeal, but we note that we are in full agreement therewith.

5. For the above reasons, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

mmi/21

To

- 1.The District Revenue Officer,
District Collector Office,
Kancheepuram.
- 2.The Revenue Divisional Officer,
Chengalpattu.
- 3.The Tashildar,
Tiruporur Taluk,
Kancheepuram District.

+2ccs to Mr.J.D.Srikanth Varma, Advocate SR.No.103

+1cc to Mls.Kriish Law Associates, Advocate SR.No.561

+1cc to Mr.M.Muthukannan, Advocate SR.No.750

+1cc to Mr.N.Sivaprakash, Advocate SR.No.805

W.A.No.3047 of 2021

PVS (CO)
GMY (20/01/2022)