



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.24704 of 2018

J.Radhakrishnan,
S/o. Late Jaganada Reddy

... Petitioner

Vs.

1. The Settlement Officer,
O/o. The Commissioner and
Director of Survey and Settlement,
Chepauk, Chennai.

2. The Revenue Divisional Officer,
Vellore District, Vellore.

3. Muthavalli,
"Yakkub Sharief,
S/o. Sheik Hyder Sahib",
Amirpisan Dharga Street,
Arcot-632 503, Vellore Dt.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to conduct enquiry as forwarded by the 1st respondent letter dated 22.03.2017 in K3/3437/2017 and produce the enquiry report before this Hon'ble Court within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.Perumbulavil Radhakrishnan

For Respondents : Mr. Ganesan,
Addl. Govt. Pleader for R1 & R2
Mr.T.P.Prabakaran for R3

O R D E R

This Writ Petition has been filed seeking a direction directing the 2nd respondents to conduct enquiry as forwarded by the 1st respondent and produce the enquiry report before this Court within the time frame fixed by this Court.

2. Earlier, this Court by an order dated 10.03.2022 directed



the Tahsildar, Arcot to conduct enquiry on the application filed by the petitioner for granting patta and pursuant to the same, the enquiry said to be conducted and report dated 03.04.2022 has been filed before this Court.

WEB COPY

3. The learned Addl. Government Pleader appearing for respondents 1 and 2 would submit that, town record register submitted by the petitioner is no way connected with the petitioner's registered document and the petitioner has no enjoyment in the above mentioned town survey numbers.

4. Mr.Radhakrishnan, learned counsel appearing for petitioner would submit that, the petitioner has produced documents before the respondents and he has established his title. But, none of the documents was considered and no reason was given for not registering those documents. In the said circumstances, the 2nd respondent had passed a cryptic and non-speaking order rejecting the petitioner's claim.

5. Heard and considered rival submissions made by learned counsel appearing for both sides and perused the records carefully.

6. The report submitted by the Tahsildar is bereft of any reason and none of the documents submitted by the petitioner considered by the respondent. Considering the circumstances, the Tahsildar, Arcot is directed to conduct denova enquiry, and on hearing the petitioner as well as 3rd respondent Muthavalli and to pass a reasoned order on merits and in accordance with law. The above exercise shall be completed within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Settlement Officer,
O/o. The Commissioner and
Director of Survey and Settlement,
Chepauk, Chennai.



2. The Revenue Divisional Officer,
Vellore District, Vellore.

Copy To:

The Tahsildar,
Arcot.

+1cc to Mr.Perumbulavil, Advocate, S.R.No.27877

+1cc to the Government Pleader, S.R.No.27966

W.P.No.24704 of 2018

AK(CO)
SB(19/05/2022)