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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 1462 of 2023

J.Pandurangan

... Petitioner

..Vs..

1. The District Collector
Chennai Collectorate
Chennai District.
2. The Revenue Divisional Officer
Chennai North Revenue Division
Chennai District.
3. Banu Rekha
4. L.G.Kumar

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the official respondents to initiate action against the third respondent and fourth respondent as per petitioner representation dated 23.09.2022 and to dispose of it with the stipulated time period.



For Petitioner	:: Mr. S.Yuvaraj
For RR 1 & 2	:: Ms. P.Rajarajeswari Government Advocate
For RR 3 & 4	:: Mr. S.Thiruvengadam

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction directing the second respondent, particularly, the Revenue Divisional Officer, North Revenue Division, Chennai, to initiate action against the third and fourth respondents in pursuance with a representation dated 23.09.2022 given by the petitioner herein.

2. The petitioner is the father of the third respondent. The fourth respondent is his son-in-law. The petitioner is a senior Citizen, aged about 77 years. He had retired nearly about 17 years back. His wife has died. The petitioner had let a portion of his property to the third respondent / his elder daughter for monthly rent.



3. It is stated that the third and fourth respondents are residing in a portion of his property from the year 2006 but however had not paid any rent. It is stated that the third and fourth respondents have given complaints regularly to the jurisdictional police station. It is stated that the fourth respondent is also denying the share of the petitioner in the sale of his wife's ancestral property in Polivakkam in Tiruvallur.

4. In view of all these grievances, the petitioner had given representations on 23.09.2022 & 04.11.2022 to the first and second respondents. Complaining that no action had been taken, the Writ Petition has been filed.

5. The learned Government Advocate appearing on behalf of the first and second respondents forwarded instructions received from the second respondent in which it had been stated that consequent to the representations, notices had been directed to both the petitioner and to the third and fourth respondents. It was stated that the petitioner had appeared during the enquiry on 02.02.2023 and had given the address of the third respondent. Thereafter, notices were issued again for the hearing date 13.02.2023. The petitioner alone had appeared and the third respondent had not appeared.



6. The learned counsel appearing for the third respondent states that notices were not properly served.

7. Let me not examine that particular aspect but place a caveat on both the petitioner and the third respondent to appear for the enquiry on 23.02.2023. Since this is primarily grievance of a father against his own daughter, let not the fourth respondent participate in the enquiry convened by the second respondent.

8. A specific direction is given that the second respondent should enquire only the petitioner and the third respondent alone and if it is possible, encourage them to come to an amicable settlement with respect to the issues raised.

9. The second respondent is placed under an obligation to dispose of the representations dated 23.09.2022 & 04.11.2022 and pass any order on or before 31.03.2023. I am informed that the next hearing date fixed by the second respondent is on 23.02.2023.



10. The Writ Petition stands disposed of. No order as to costs.

WEB COPY

14.02.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The District Collector
Chennai Collectorate
Chennai District.
2. The Revenue Divisional Officer
Chennai North Revenue Division
Chennai District.



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C.V.KARTHIKEYAN, J.,

vsg

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