



WEB COPY

WP No.13760 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.13760 of 2016

And

WMP Nos.12057, 12058 and 21648 of 2016

M.Jayaraman

... Petitioner

Vs.

- 1.The District Collector,
Kancheepuram.
- 2.The District Revenue Officer,
Kancheepuram.
- 3.The Revenue Divisional Officer,
GST Road,
Tambaram,
Chennai-600 045.
- 4.The Tahsildar,
Taluk Office,
Sholinganallur,
O.M.R.,
Chennai-600 119.



5.Village Administrative Officer,
Sholinganallur,
Chennai-600 119.

6.The Sub Registrar,
Neelangarai,
Chennai-600 115.

7.Mrs.K.Samanthi

8.Mrs.K.Kasthuri

9.K.Pakkirisamy

10.K.Bargunan

11.K.Anand

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the third respondent in N.K.1262/2013/A dated 12.06.2013 cancelling the patta number 5845 for Survey No.735/29 issued to the petitioner and quash the same, as illegal and without jurisdiction, consequently direct the fourth respondent to restore the patta number 5845 for Survey No.735/29 in the name of the petitioner and carry out necessary entries in the revenue records.

For Petitioner : Mr.R.Amizhdhu

For Respondents-1 to 6 : Mr.S.Ravichandran,
Additional Government Pleader.



WEB COPY

WP No.13760 of 2



For Respondents-7 to 11 : No Appearance

ORDER

The order passed by the third respondent-Revenue Divisional Officer, Tambaram, cancelling the patta No.5845 for Survey No.735/29 issued to the petitioner in proceedings dated 12.06.2013, is under challenge in the present writ petition.

2. The petitioner states that he is the absolute owner of the subject property more-fully described in the writ proceedings. Patta was granted in the name of the petitioner and without issuing any notice to the petitioner, the Revenue Divisional Officer, Tambaram cancelled the patta without affording an opportunity.

3. The learned counsel for the petitioner reiterated that the name of the petitioner has been mentioned in the order impugned and therefore, the order impugned passed by the third respondent-Revenue Divisional Officer without notice to the writ petitioner is liable to be set



aside.

WEB COPY

4. The learned counsel for the petitioner further contended that the third respondent-Revenue Divisional Officer, who passed an order, had passed several such similar orders and departmental actions were also initiated and he was prosecuted subsequently.

5. In view of the fact that the order impugned has been passed behind the back of the petitioner, the matter is to be remanded for fresh consideration.

6. Accordingly, the order impugned passed by the third respondent in proceedings N.K.1262/2013/A dated 12.06.2013 is quashed and the matter is remanded back to the third respondent-Revenue Divisional Officer, Tambaram for fresh consideration. The third respondent- Revenue Divisional Officer, Tambaram shall issue notice to all the parties concerned and conduct an enquiry by affording an opportunity to the petitioner and pass orders on merits and in accordance with law, as expeditiously as possible and preferably, within a period of twelve weeks from the date of



receipt of a copy of this order.

7. With the above directions, the writ petition stands allowed.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

13-06-2023

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn

To

1.The District Collector,
Kancheepuram.

2.The District Revenue Officer,
Kancheepuram.

3.The Revenue Divisional Officer,
GST Road,
Tambaram,
Chennai-600 045.

4.The Tahsildar,
Taluk Office,
Sholinganallur,
O.M.R.,
Chennai-600 119.



WP No.13760 of 2



S.M.SUBRAMANIAM, J.

Svn

5. Village Administrative Officer,
Sholinganallur,
Chennai-600 119.

6. The Sub Registrar,
Neelangarai,
Chennai-600 115.

WP 13760 of 2016

13-06-2023