



WP No.28950 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17-03-2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.28950 of 2004

And

WPMP No.35164 of 2004

Thiru B.Rajappa

..

Petitioner

VS.

1.The Tenancy Recording Officer cum
Revenue Tahsildar,
Sathyamangalam,
Erode District.

2.Thiru N.Arthanari Chettiar

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, calling for the records of the first respondent in Tenancy Record Case No.8 of 2002 dated 05.08.2004 and quash the same as illegal, arbitrary, without authority of law and against the



WP No.28950 of 2004

Principles of Natural Justice.

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For Petitioner : Mr.V.B.Jayachandran for
Mr.K.Soundararajan

For Respondent-1 : Mr.P.Sanjay Gandhi,
Government Advocate.

For Respondent-2 : Not Ready in Notice

ORDER

The order passed by the first respondent in the Tenancy Record Case No.8 of 2002 dated 05.08.2004, is sought to be quashed in the present writ petition.

2. The tenancy right was granted in favour of the second respondent in the year 2004 and almost 19 years lapsed.

3. On account of efflux of time and considering the fact that the name of the second respondent is entered in the Tenancy Record, the petitioner is at liberty to approach the Competent Authorities in respect of



WP No.28950 of 2004

his grievances.

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4. The grievance of the petitioner is that an ex parte order was passed by the first respondent and his application to set aside the same was also rejected. Since 19 years have lapsed, the factual position is to be ascertained for the purpose of conducting an enquiry. In this regard, the petitioner is at liberty to approach the Authorities Competent, if at all, any grievance exists.

5. With the abovesaid liberty, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

17-03-2023

Speaking Order/Non-Speaking Order.

Neutral Citation : Yes/No.

Internet : Yes/No.

Index: Yes/No.

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WP No.28950 of 2004

S.M.SUBRAMANIAM, J.

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To

The Tenancy Recording Officer cum
Revenue Tahsildar,
Sathyamangalam,
Erode District.

WP 28950 of 2004

17-03-2023

4 / 4