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W.P.Nos.4769 & 4770 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.4769 & 4770 of 2015

Kusum Sethia .. Petitioner
W.P.No.4769 of 2015

Anita Jain .. Petitioner
W.P.No.4770 of 2015

VS

1. The Revenue Divisional Officer
Ambattur, Chennai.
2. The Tahsildar
Madhavaram, Chennai.
3. The Inspector General of Registration
Santhome, Chennai.
4. The Sub Registrar
Sub Registrar Office
Sembyam, Chennai.
5. V.Sethuraman
6. S.Rajamanickam
7. R.Ramamirrtham
8. S.Andal
9. K.Ramachandran
10. Usha Ramachandran
11. K.Satish

[R5 to R11 are impleaded vide order dated
20.07.2015 in M.P.Nos.1 & 1 of 2015 in
W.P.Nos.4769 & 4770 of 2015] ..

Respondents in all W.Ps



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Prayer in W.P.No.4769 of 2015: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third and fourth respondents to consider and dispose the petitioner's representation dated 23.12.2014 by removing the names of the unauthorized persons reflecting in the encumbrance certificate in respect of the property of agricultural land measuring 1 acre 66 cents (western side) out of total extent of 2 acres 07 cents comprised in S.No.1270/1, as per patta O.S.No.1270/2A, 9, 10, 11, 12, 13, Survey No.1271/2A8, T.S.No.34/1 Block No.55 and the land measuring 77 cents in S.No.1270/2 as per patta S.No.1270/1A, T.S.No.35, Block No.55 in totalling measuring 2 acres and 43 cents of Elizabeth Nagar, Madhavaram Village, presently Madhavaram Taluk, Tiruvallur District;

Prayer in W.P.No.4770 of 2015: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third and four respondent to consider and dispose the petition's representation dated 23.12.2014 by removing the names of the unauthorized persons reflecting in the encumbrance certificate in respect of the property of agricultural land measuring 1 acres 02 cents out of total extent of 2 acres 07 cents comprised in S.No.1270/1 as per patta O.S.No.1270/2A, 9, 10, 11, 12, 13, Survey No.1271/2A8, T.S.No.34/4, Block No.55 of Elizabeth Nagar, Madhavaram Village, presently Madhavaram Taluk, Tiruvallur District.

For Petitioners : Ms.G.Lavanya

For Respondents : Mr.T.Arun Kumar
for R1 to R4 Additional Government Pleader



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COMMON ORDER

The relief as such sought for in these writ petitions is to direct the respondents 3 and 4 to consider the representation submitted by the writ petitioners on 23.12.2014.

2. The said representation reveals that with reference to the patta granted in their favour, the names of unauthorized persons were included and in this regard, they made a representation to the authorities on 23.12.2014.

3. The representation was submitted to various authorities. With reference to the allegations set out in the representation, an enquiry is to be conducted by the competent authority and therefore, this Court cannot adjudicate the merits. More so, the representation enclosed by the petitioner would be insufficient for adjudication of issues

4. Thus, the petitioner is at liberty to submit a detailed representation along with the relevant documents and evidences, if any, to the competent authorities and in the event of submitting any such application, the competent authorities shall adjudicate the same on merits



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and in accordance with law.

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5. With these directions, the writ petitions stands disposed of.

There will be no order as to costs.

Index : Yes/No

25.04.2023

Neutral Citation : Yes/No

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To:

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S.M. SUBRAMANIAM, J.

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