



WEB COPY



W.P.No.13569 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.13569 of 2023

and

W.M.P.Nos.13244 & 13246 of 2023

M/southern Television Pvt. Ltd.,
Represented by its Director S.Kalyani
Previously at Shop No. 6, Ground Floor,
Rayala Towers, Shop No.781-785,
Anna Salai, Chennai - 600 002 and
Presently at No.19(8), Rajarathinam Street,
Kilpauk, Chennai 600010.

...Petitioner

-Vs-

1. The District Revenue Officer,
Office of the Collectorate,
Tiruvallur District,
Tiruvallur - 602001.
2. The Revenue Divisional Officer,
North Chennai Revenue Division,
Puzhal, Chennai- 600 066.
3. The Revenue Divisional Officer,
Ambathur-Tiruvallur Division,
No. -5-73, SH112, Gandhi Nagar, Anna Nagar
West Extension, Chennai - 600 040.



W.P.No.13569 of 2023

4. The Tahsildar,
Gandhi Main Road, Balaji Nagar,
Puzhal, Madhavaram Taluk,
Chennai - 600 066.

5. Mr. D. James Peter

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.A1/1400/2022 dated 30.12.2022 on the file the 5th respondent and quash the same as not maintainable in law or on facts and consequentially direct the 4th respondent to take appropriate action as against the 5th respondent in compliance of order passed by the 1st respondent dated 03.04.2017.

For Petitioner : Mr.J.D.Srikanth Varma-MS/1523/2010

For Respondents :
(for R1 to R4) : Mr.P.Sanjay Gandhi, GA

ORDER

The inquiry call letter dated 30.12.2022 is under challenge in the present writ petition. With reference to the appeal filed by the writ



W.P.No.13569 of 2023

petitioner, the second respondent / The Revenue Divisional Officer, North Chennai, issued inquiry call letter to the writ petitioner to submit all the relevant records along with the objections if any.

2.The learned counsel for the petitioner states that the objections are already submitted by the petitioner. While so, the present writ petition need not be entertained. The petitioner has to participate in the process of inquiry for the purpose of defending his case by availing the opportunities provided by the Revenue Divisional Officer.

3.The High Court, at this point of time, cannot adjudicate the disputed facts which is to be done with reference to the documents and evidences in original.

4.No writ against an inquiry call letter is entertainable in a routine manner. If at all, it is issued by an incompetent authority having no jurisdiction then along it is to be entertained. The Revenue Divisional Authority while exercising the quasi judicial powers are empowered to adjudicate all the legal grounds including maintainability of the application or appeal. Therefore, the petitioner has to exhaust the remedy and



W.P.No.13569 of 2023

thereafter approach the competent forum.

WEB COPY

5.In the present case, the inquiry is in progress, in the event of entertaining the writ petition, the parties would not be in a position to resolve the issues within a reasonable period of time. The trend of filing a writ petition to stall the inquiry proceedings at no circumstances be encouraged by the High Court. Once an inquiry is undertaken, the authorities must be allowed to complete the same unless there is an allegation of mala fide or violation of procedures causing prejudice to any of the parties. Mere violation of procedures would be insufficient. If at all, such violation caused any serious prejudice to any of the parties, then alone the writ is to be entertained but not otherwise.

6.The petitioner states that the inquiry has already been completed and the Revenue Divisional Officer has already passed an order and therefore further inquiry becomes unnecessary. If at all, these facts are not placed before the Revenue Divisional Officer, the petitioner is at liberty to place the facts along with the documents before the Revenue Divisional Officer for the purpose of considering the facts.



W.P.No.13569 of 2023

WEB COPY

7. Therefore, the writ petitioner could not establish any cause for the purpose of entertaining the writ petition and accordingly, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

(sha)

28.04.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

1. The District Revenue Officer,
Office of the Collectorate,
Tiruvallur District,
Tiruvallur - 602001.
2. The Revenue Divisional Officer,
North Chennai Revenue Division,
Puzhal, Chennai- 600 066.
3. The Revenue Divisional Officer,
Ambathur-Tiruvallur Division,
No. -5-73, SH112, Gandhi Nagar, Anna Nagar
West Extension, Chennai - 600 040.
4. The Tahsildar,
Gandhi Main Road, Balaji Nagar,
Puzhal,
Madhavaram Taluk, Chennai - 600 066.



WEB COPY



W.P.No.13569 of 2023

S.M.SUBRAMANIAM. J.,

(sha)

W.P.No.13569 of 2023

28.04.2023