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W.P.No.26157 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.26157 of 2018 and
W.M.P.No.30368 of 2018 and
W.M.P.No.1190 of 2019 and
W.M.P.No.33612 of 2022

M/s.Mayajaal Entertainment Pvt. Ltd.,
Rep. By Managing Director Mr.Udeep Bogollu,
No.34/1, East Coast Road,
Kanathur – Reddy Kuppam,
Chennai – 603 112.

... Petitioner

Vs

1.The Director of Land Survey and Settlement
Department Survey,
Rep. By its Director,
Chepauk, Chennai – 600 005.

2.The Assistant Settlement Officer (North),
Office of the ASO,
Chennai – 5.

3.The Tahsildar,
Office of the Thiruporur Tahsildar,
Thandalam,
Kanchipuram – 603 105.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to furnish all documents including the grounds of Appeal in the suo-motu appeal initiated by the 1st respondent in it's proceedings No.E2/7588/2017.



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For Petitioner : Mr.P.Dinesh Kumar

For Respondents : Mr.V.Arun
Additional Advocate General
Assisted by
Mr.T.Arunkumar
Additional Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to furnish all documents including the grounds of Appeal in the suo-motu appeal initiated by the 1st respondent in its proceedings No.E2/7588/2017.

2. Heard Mr.P.Dinesh Kumar, learned counsel appearing for the petitioner and Mr.V.Arun, learned Additional Advocate General appearing for the respondents.

3. The learned counsel for the petitioner would submit that, the petitioner has received a summon in a suo motu proceedings or appeal initiated by the 1st respondent, pursuant to which only the petitioner wanted to know on what basis suo motu proceedings was initiated and if there is any grounds are available with the 1st respondent to initiate the suo motu proceedings that can be furnished to the petitioner, therefore in order to get



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those documents, the petitioner has moved the present writ petition with the
aforestated prayer.

4. However, Mr.V.Arun, learned Additional Advocate General appearing for the respondents would submit that, insofar as the prayer sought for in this writ petition is to furnish the documents including the grounds of appeal in the suo motu proceedings initiated by the 1st respondent.

5. Since in the *suo motu* appeal initiated by the 1st respondent, there is no separate grounds available on the file of the 1st respondent, only the earlier order passed by the authorities concerned is appealable as against which since suo motu appeal has been initiated by the 1st respondent, in order to enquire the appeal, summons have been issued to the petitioner, therefore that copy of the summon has already been sent to the petitioner. In fact, the learned Additional Advocate General would also point out that, by relying upon the averment made in the counter affidavit filed by the respondents that on 20.11.2018 in response to the petitioner's request as to furnishing the grounds for initiating the suo motu proceedings by the 1st



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respondent, CLA's letter copy K1/23667/2014, dated 08.12.2017 was sent to their counsel vide DOSS letter dated 20.11.2018 through RPAD.

6. This has been relied upon by the Additional Advocate General and he would further submit that, apart from this document no other document is available on the file of the 1st respondent except the order which is going to be testified by way of suo motu appeal.

7. I have considered the said submissions made by both sides and taken note of the aforestated development, since the prayer itself is very innocuous in nature sought for by the petitioner to furnish certain documents and no documents specifically mentioned in the prayer or no averment made in the affidavit filed in support of the writ petition that what are all the documents available with the 1st respondent alone since were sought, the available documents, according to the respondents, since has been furnished to the petitioner which are going to be relied upon by the respondents during the suo motu revision proceedings, the petitioner need not have any further grievance with regard to the prayer sought for in this writ petition, accordingly this Court feels that no further order is required to be passed or



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persuasive action to be taken in furtherance of the prayer sought for in this writ petition, accordingly this writ petition is liable to be disposed of by recording the aforesaid development, hence the Writ Petition is disposed of by recording the aforesaid development. No costs. Consequently, connected miscellaneous petitions are closed.

05.01.2023

Index : Yes/No
Speaking Order : Yes/No
Sgl

To

- 1.The Director,
The Director of Land Survey and Settlement
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R.SURESH KUMAR, J.

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