



WEB COPY



W.P.No.2521 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.2521 of 2020

C.Rojakanthan

... Petitioner

Vs.

- 1.The District Collector,
Thiruvallur District.
- 2.The District Revenue Officer,
Thiruvallur District.
- 3.The Revenue Divisional Officer,
Sh56, Ngo Nagar Extension,
Ponneri, Ponneri Taluk,
Thiruvallur District.
- 4.The Thasildar,
Railway Station Road,
Sh56, Ngo Nagar Extension,
Ponneri, Ponneri Taluk,
Thiruvallur District.

5.Rathiyammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the third respondent to take necessary steps on the second respondent's letter dated 18.07.2019 in



W.P.No.2521 of 2020

proceedings No.O.Mu.13795/2019/Aa3.

WEB COPY

For Petitioner : Mr.K.Bharathi

For Respondents 1 to 4 : Mr.K.Surendran,
Additional Government Pleader

For Respondent 5 : No Appearance

ORDER

The petitioner has filed this petition seeking direction to the third respondent to take necessary steps on the second respondent's letter dated 18.07.2019 in proceedings No.O.Mu.13795/2019/Aa3.

2. Learned counsel for the petitioner submitted that the petitioner is having the land in S.No.181/11 in Peravallur Village, Perumal Koil Street, Panjetty Post, Ponneri Taluk, Thiruvallur District. This being so, the fifth respondent herein got patta for S.No.181/12, which belongs to the petitioner's family for the past 50 years. In this regard, the petitioner has given complaint against the fifth respondent before the respondents 1, 3 & 4 on 13.10.2016, 19.01.2017 respectively. Pending enquiry, the fifth respondent entered into the land and tried to fence the land with antisocial elements. Hence, the



W.P.No.2521 of 2020

petitioner has given representation before the respondents 1, 3 & 4 on 08.07.2019, based on which, the second respondent directed the third respondent to conduct an enquiry vide his proceedings No.O.Mu.1375/2019/Aa3, dated 18.07.2019, however, no action was taken.

2.1. Learned counsel for the petitioner would further submit that this type of patta is issued by the Government to the person who are not having individual house and land. In the case on hand, the fifth respondent has got patta in the year 1994 in Peravallur Village and she got patta in the second time in the year 2012. Since, no action has been taken, the petitioner has sent another representation dated 06.01.2020 to the third respondent to implement the second respondent's letter dated 18.07.2019, but there was no action taken by the third respondent till date. Hence, the petitioner has come forward with the present writ petition.

3. Heard the learned counsel on either side and perused the materials available on record.

4. This Court on earlier occasion ie., on 04.02.2020 has recorded the



submission made by the learned Additional Government Pleader appearing for respondents 1 to 4 and the same reads as follows:

“3. Learned Additional Government Pleader appearing for the first to fourth respondents, on instructions, states that enquiry has been fixed on the representation dated 08.07.2019 made by the petitioner at 11.a.m. on 13.02.2020 before the third respondent and that notice would be issued to all parties concerned for the same and has produced a copy of the same. Learned counsel for the petitioner acknowledges its receipt.

4. The third respondent shall file a report on the outcome of the action taken in this regard, on the next hearing. Post the matter on 23.03.2020”.

5. In view of the above submission made by the learned Additional Government Pleader appearing for the respondents 1 to 4, this Court directs the third respondent to conduct a detailed enquiry after giving due notice to both the parties, affording an opportunity of personal hearing, to consider the documents submitted by both the parties at the time of the enquiry in regard to the subject matter property and pass appropriate orders on merits, in accordance with law and by following/observing the above principles of natural justice, within a period of eight weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.2521 of 2020

6. This writ petition is disposed of with the above observation and direction. No costs.

16.07.2024

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

- 1.The District Collector,
Thiruvallur District.
- 2.The District Revenue Officer,
Thiruvallur District.
- 3.The Revenue Divisional Officer,
Sh56, Ngo Nagar Extension,
Ponneri, Ponneri Taluk,
Thiruvallur District.
- 4.The Thasildar,
Railway Station Road,
Sh56, Ngo Nagar Extension,
Ponneri, Ponneri Taluk,

Page No.5 of 7



W.P.No.2521 of 2020

Thiruvallur District.

WEB COPY

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.2521 of 2020



WEB COPY



W.P.No.2521 of 2020

16.07.2024