



W.P.No.3497 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3497 of 2024

and

W.M.P.Nos.3752 and 3753 of 2024

K.S.Jailaane

... Petitioner

versus

- 1.The Collector,
Cuddalore,
Cuddalore District.
- 2.The District Revenue Officer,
Cuddalore – 607 001,
Cuddalore District.
- 3.The Revenue Divisional Officer/
Sub-Collector, Chidambaram,
Cuddalore District.
- 4.The Tahsildar,
Chidambaram Taluk,
Cuddalore District.



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5.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jaffer Saire Street,
Vallal Seedhakkadi Nagar,Chennai – 600 001.

6.Hazrath Syed Edulla Shattar Durga
Wakf (Nawalpettai Durga),
Punjaimughatuvazhkkai Village,
Killai Post, Chidambaram Taluk,
Cuddalore District by
Muthavalli Syed Tajuddin Parsa Shuttari.

7.Syed Tajuddin Parsa Shuttari

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, call for the records and quash the proceedings of the third respondent in Na.Ka.No.A1/3587/2023, dated 28.11.2023 and consequently forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of the properties bearing

S.No.	Present S.No.	Extent Ac.C
2/2	2/2A	1.18
11/2	11/2	0.90
13/4	13/4D	1.08
13/4	13/4C	1.08
13/4	13/4A	1.08
13/4	13/4B	1.08
70/3	70/3	1.08



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For Petitioner : Mr.Gururaj
for Mr.D.Baskar
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R4

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for respondents 1 to 4. Since this writ petition is being disposed of without passing any adverse orders against respondents 5 to 7, affecting their interest, notice to those respondents is dispensed with.

2.The prayer sought for in this writ petition is to quash the impugned order in Na.Ka.No.A1/3587/2023, dated 28.11.2023 passed by the third respondent and forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of the properties bearing

S.No.	Present S.No.	Extent Ac.C
2/2	2/2A	1.18
11/2	11/2	0.90
13/4	13/4D	1.08



S.No.	Present S.No.	Extent Ac.C
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13/4	13/4B	1.08
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3. The learned counsel for the petitioner submitted that the second respondent herein/District Revenue Officer, Cuddalore alone was the competent authority to pass orders, as per the directions of this Court in W.P.No.34962 of 2019 dated 28.04.2020. However, quite against the directions of this Court, based on the representation of the fourth respondent herein/Thasildar, Cuddalore, the third respondent herein/Revenue Divisional Officer, Cuddalore, who has no jurisdiction to conduct enquiry in respect of transfer of Patta in respect of the subject properties, had sent summons to the petitioner for hearing on 28.11.2023.

4. The learned Additional Government Pleader appearing for respondents 1 to 4 submitted that the impugned order is nothing but a show



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cause notice to the petitioner to appear for the enquiry. The third respondent/Revenue Divisional Officer has already conducted enquiry and the petitioner also appeared for enquiry on 06.12.2023 and also subsequently on 15.12.2023, and final order has to be passed in due course. The learned Additional Government Pleader further submitted that, after appeared for enquiry, now the petitioner has filed the present writ petition seeking to quash the impugned order.

5. Heard both sides and perused the materials available on record.

6. It is seen that the petitioner has already appeared before the third respondent for enquiry 06.12.2023 and subsequently 15.12.2023 also, and hence the petitioner has no *locus standi* to file the present writ petition to quash the impugned notice. However, liberty is granted to the petitioner to work out his remedy in the manner known to law, after passing of the final order passed by the third respondent.



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7. With the above liberty, the writ petition dismissed. However, there

shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

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P.VELMURUGAN, J.

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