



W.P. No.2138 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

CORAM:

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. No.2138 of 2024

S.Kavitha

.... Petitioner

vs.

1.The District Collector,
District Collector Office,
GST Road,
Chengalpattu – 603 001.

2.The Tahsildhar,
Vandalur Taluk Office,
Otteri,
Peerakankaranai,
Chennai – 600 048.

3.M/s.Metroline Promoters Pvt. Ltd.,
Having its Branch Office at
“GOLD SOUK GRANDE”,
GST Road,
Near Vandalur BSNL
Telephone Exchange,
Vandalur,
Chennai – 600 048.

... Respondents



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Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus directing the 1st respondent herein to initiate action as per the Revenue Recovery Act 1864 and recover the dues payable to the petitioner from the 3rd respondent as per the order dated 08.04.2022 made in E.P. No.44 of 2021 in C.C.P. No.112 of 2020.

For Petitioner : Mr.R.Krishna Prasad
and Mr.H.Shabeer Ali

For Respondents : Mr.U. Baranidharan,
Additional Government Pleader
for R1 & R2

R3 – Not ready in notice

ORDER

The relief sought for in the present Writ Petition is to direct the 1st respondent to initiate action under the Revenue Recovery Act to recover the dues payable to the petitioner and the 3rd respondent as per the order dated 28.04.2024 made in E.P. No.44 of 2021 in C.C.P. No.112 of 2020.

2.With reference to the relief sought for in the writ proceedings, the learned Additional Government Pleader for the respondents 1 and 2 would submit that the Authorities have not invoked the Revenue Recovery Act in view of the interim order granted in W.P.No.19779 of



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2023. Since the said Writ Petition has been dismissed by this Court today, i.e., 25.04.2024, there is no impediment for the Revenue Authorities to invoke the Revenue Recovery Act to realize the dues and pay the same to the petitioner.

3.In view of the facts and circumstances, the 1st respondent is directed to initiate all further actions under the Revenue Recovery Act by following the due process. The said exercise is directed to be initiated within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

25.04.2024

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
mps

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S.M. SUBRAMANIAM, J.

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