



W.P.No.7795 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.7795 of 2024

S.Packiaraj

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Singaravelar Maaligai,
Chennai-1
- 2 The Revenue Divisional Officer,
Chennai Central District,
Park Road, Chennai-101
- 3 The Tahsildar,
Aminjikarai Taluk,
Shenoy Nagar, Chennai-30.
- 4 K.Vijayendra Samuel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to delete the wrong entry made in the name S.N.Kulasekaran in the CERTIFICATE EXTRACTED FROM THE PERMANENT LAND



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REGISTER and enter the Petitioner name S.Packiaraj in the revenue records in Old Survey No.131/2 Part Sub- divide as survey No.131/2A 1A2 in block No.43 T.S. No.80 measuring 2. Ares and 71 Sq.meters in Villivakkam Village, Aminjikarai Taluk, Chennai District.

For Petitioner : M/s.S.R.Poornima

For R1 to R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents 2 and 3 to delete the wrong entry made in the name S.N.Kulasekaran in the certificate extracted from the permanent land register and enter the petitioner name S.Packiaraj in the revenue records in Old Survey No.131/2 Part Sub- divided as survey No.131/2A 1A2 in block No.43 T.S. No.80 measuring 2. Ares and 71 Sq.meters in Villivakkam Village, Aminjikarai Taluk, Chennai District.



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2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents and perused the materials available on record.

3. Since no adverse order is passed against the private respondent, notice to the private respondent/R4 is dispensed with.

4. The learned Special Government Pleader appearing for the official respondents submitted that notice has already been issued to the petitioner and the owner of the subject property ie.S.N.Kulasekaran, whose name stands in the land register, to appear before the respondent for enquiry and on that date ie., on 29.02.2024, since owner of the property S.N.Kulasekaran did not appear for enquiry, it was reposted on 11.03.2024. On that date, it was informed that owner of the property S.N.Kulasekaran is no more. Hence in order to find out the legal heirs of the deceased owner, the case was adjourned without mentioning date of hearing.



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5. Learned counsel for the petitioner submitted that said S.N.Kulasekaran already entered into compromise with the petitioner. Hence there is no need to send notice to the legal heirs of the said S.N.Kulasekaran.

6. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case and also the petitioner has added one of the legal heirs of the deceased Kulasekaram as fourth respondent in the present writ petition, this Court directs the respondents to issue notice to the fourth respondent and other legal heirs of the deceased S.N.Kulasekaran if any, and after issuing notice to the petitioner, fourth respondent and any other legal heirs of the deceased S.N.Kulasekaran, conduct enquiry in the manner known to law and pass orders on merits and in accordance with law. The abovesaid exercise shall be completed within a period of three months from the date of receipt of a copy of this order.



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7. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

25.03.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The District Collector,
Chennai District,
Singaravelar Maaligai,
Chennai-1
- 2 The Revenue Divisional Officer,
Chennai Central District Park Road,
Chennai-101
- 3 The Tahsildar,
Aminjikarai Taluk,
Shenoy Nagar,
Chennai-30.



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P.VELMURUGAN, J.

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