



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.11561, 11569 & 11573 of 2024
and W.M.P.Nos.12658, 12660,12663, 12664, 12668 & 12670 of 2024

Sree Narayana Mission (Society),
Represented by its Secretary,
Deepak Devarajan,
Having Office at No. 2/54,
Eswaran Koil Street,
West Mambalam,
Chennai - 600 033.

...

Petitioner
[in all WPs]

versus

1.The Revenue Divisional Officer,
Central Chennai Zone,
Chennai - 600 101.

2.The Tahsildar.
Mambalam Taluk,
Chennai - 600 078.

3.S.Selvi

...

Respondents
[in all WPs]

Prayer in W.P.No.11561 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing



the respondents 1 and 2 to furnish the copy of the alleged complaint sale to have been given by the 3rd respondent along with all annexures.

WEB COPY

Prayer in W.P.No.11569 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the 1st respondent from in anyway proceedings further in pursuance of the notice dated 28.02.2024 in Na.Ka.No.A1/A3/3581/2023, since the 1st respondent has no jurisdiction being the appellate authority under Section 12 of the Tamilnadu Patta Passbook Act 1983 read with Rule 14 of the Tamilnadu Patta Passbook Rules 1983.

Prayer in W.P.No.11573 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents 1 and 2 from going into the disputed question of title based upon the complaint said to have been given by the 3rd respondent.

For Petitioner : Mr.T.V.Krishnamachari,
[in all WPs] Senior Counsel for
M/s.R.Ramya

For Respondent Nos.1 & 2 : A.Selvendran
[in all WPs] Special Government Pleader

COMMON ORDER

By consent of both sides, these Writ Petitions are disposed of at the stage of admission itself.



2. These Writ Petitions have been filed challenging the notice issued for an enquiry.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2 and perused the materials available on record.

4. A notice issued by the second respondent originally was based on the complaint given by the third respondent for the cancellation of patta. The petitioner has given a reply seeking a copy of the complaint. However, it appears that the same has not been furnished. Thereafter, the appellate authority has issued notice for enquiry once again. Challenging this notice, these Writ Petitions are filed.

5. This Court is of the view that mere issuance of the notice, as a matter of right, these Writ Petitions cannot be filed challenging this notice.

6. In such view of the matter, the second respondent is directed to give a copy of the complaint to the petitioner within a period of three weeks



from the date of receipt of a copy of this order and thereafter, the petitioner shall participate in the enquiry and produce all the documents and the enquiry has to be done by the Tahsildhar. It is also made clear that the enquiry should relate only to the revenue records and that the title cannot be decided.

7. Accordingly, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

25.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

WEB COPY

1.The Revenue Divisional Officer,
Central Chennai Zone,
Chennai - 600 101.

2.The Tahsildar.
Mambalam Taluk,
Chennai - 600 078.



WEB COPY

W.P.Nos.11561, 11569 & 11573 of 2024



N.SATHISH KUMAR, J.

sri

W.P.Nos.11561, 11569 & 11573 of 2024
and W.M.P.Nos.12658, 12660,12663,
12664, 12668 & 12670 of 2024

25.04.2024