



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19082 of 2018
and
W.M.P.No.22459 of 2018

Saketh Ram @ Sridhar

... Petitioner

Vs.

1.The District Revenue Officer,
Perambur.

2.Tmt.Saraswathi

3.Tmt.Selvi

4.Tmt.Rajeswari

5.Kripakaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records on the file of the 1st respondent in Na.Ka.A2/4193/2016, dated 12.06.2018 and quash the same as illegal, incompetent and without jurisdiction.

For Petitioner

: Mr.Sunny.S
For Mrs.V.Srimathi



For R1 : Mr.G.Krishna Raja
Additional Government Pleader

For R3 to R5 : Mr.N.Vijaya Baskar
For M/s.Law Vision

For R2 : Deceased Steps Due

ORDER

An enquiry call notice issued by the District Revenue Officer dated 12.06.2018 is under challenge in the present writ petition.

2. No writ against an enquiry notice is entertainable in a routine manner. A writ can be entertained, only if such notice has been issued by an incompetent authority having no jurisdiction or tainted with the allegations of mala fides.

3. In the present case, the learned counsel of the petitioner would submit that civil litigations are pending before this Court in S.A.No.335 of 2017 and therefore, the District Revenue Officer cannot conduct any adjudication. These facts may be placed by the petitioner before the District Revenue Officer along with other grounds, if any for the purpose of considering the petitioner's case. Contrarily the petitioner cannot file a writ



petition challenging the very enquiry notice.

4. High Court cannot go into the disputed facts of this nature. For all these reasons, the petitioner is at liberty to submit his explanation / objections if any and the respondents shall proceed with the enquiry by considering the objections to be filed by the petitioner and if necessary pass orders on merits in accordance with law.

5. With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

10.01.2024

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

To

The District Revenue Officer,
Perambur.



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S.M.SUBRAMANIAM, J.

Jeni

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