



W.P.No.29562 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:04.10.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.29562 of 2024

and

W.M.P.No.32215 of 2024

Sammanasumary

.. Petitioner

/versus/

1.The Sub Divisional Magistrate-cum-Revenue Divisional Officer,
Cuddalore, Cuddalore District.

2.The Tahsildar, Panruti Taluk,
Cuddalore District.

3.Mr.Raja

.. Respondents

Writ Petition has been filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the impugned proceedings in Na.Ka.A2/M.C.No.168/2023, dated 09.02.2024 passed by the 1st respondent and quash the same.

For Petitioner
For R1 and R2

:Mr.D.Ashok Kumar
:Mr.K.M.D.Muhilan,
Govt.Advocate (Crl.Side)

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ORDER

The petitioner herein challenging the proceedings of the Tahsildar, dated 09.02.2024, is before this Court to quash the same.

2.The impugned order indicates that the Inspector of Police, Panruti, had requested the Executive Magistrate (RDO) to proceed under Section 145 of Cr.P.C. Since two groups, one led by Ezhilarasi and another led by Raja fighting between them in respect of piece of land. The Revenue Divisional Officer after causing notice to the parties had conducted enquiry and found that there is no reason to believe that the fight between these two groups will cause breach of public peace and tranquillity and therefore, arrived at a conscious decision that there is no necessity to proceed under Section 145 of Cr.P.C.

3. Further, the report also indicates that if the parties have any dispute regarding the title and enjoyment of the property, they should work out their remedy before the Civil Court. Inspite of approaching Court if any of them take law into their hands and cause law and order



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problem, the Inspector of Police can take necessary criminal action against them.

4. In the given narration, this Court finds, the petitioner has no locus to challenge the report of the RDO.

5. The learned Government Advocate (Crl.Side) submits that the petitioner is a relative of Raja. The petitioner had given a representation to cancel the patta in respect of S.No.430/1 and enquiry is still pending. But for her representation to cancel the patta, she has no locus to maintain the writ petition.

6. The summons issued by the RDO, dated 05.09.2023 reveals that this petitioner on 17.08.2023 had given a representation for cancellation of patta in respect of S.No.430/1 and the same is pending as on date. The patta for the said Survey No. measuring 0.22 cents stands in the name of Raja by virtue of a sale deed. The new survey number of the said land is 156/1B.



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7. In the given circumstance, this Court is of the view that the Writ Petition is liable to be dismissed since the petitioner has no locus to challenge the proceedings of the DRO dated 09.02.2024 which has no relevance to the petitioner and her representation to the cancellation of patta which is pending. Accordingly, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

04.10.2024

Index:yes/no
Internet:yes/no
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To:

1.The Sub Divisional Magistrate-cum-Revenue Divisional Officer,
Cuddalore, Cuddalore District.

2.The Tahsildar, Panruti Taluk,
Cuddalore District.

3.The Public Prosecutor, High Court,Madras.



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DR.G.JAYACHANDRAN,J.

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