



W.P.No.26845 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.26845 of 2024

R.Jayaprakash

... Petitioner

vs.

1.The Revenue Divisional Officer,
Gobichettipalayam.

2.The Tahsildar,
Nambiyur Taluk.

3.The Administrator General and Official
Trustee of Tamil Nadu (AG&OT),
High Court Buildings,
Chennai – 600 104.

4.Rangammal
5.Senthilmani
6.Thangavel
7.Eswari
8.Karuppusamy
9.Sakthivel

... Respondents



W.P.No.26845 of 2024

Prayer: Writ Petition filed under Article 227 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry with regard to the Enquiry notice issued in Na.Ka.No.8153/2023/A1, dated 06.10.2023 after affording opportunity to the parties and pass final order within a stipulated time frame fixed by this Court.

For Petitioner : Mr.V.Anandhamoorthy

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the first respondent to conduct enquiry with regard to his enquiry notice Na.Ka.No.8153/2023/A1, dated 06.10.2023 and pass final order within time stipulated by this Court.

2. It is the case of the petitioner that he has been in possession and enjoyment of the property in New S.No.504/13, 504/18 (Old S.No.295), the portion of the said property belongs to Palaniyappa Chettiar Rangammal Charitable Trust. The respondents 4 to 9 obtained the ownership certificate from the second respondent, as if they are the owners of the property and registered the settlement deed in respect of the said property. The petitioner



W.P.No.26845 of 2024

submitted a representation before the first respondent seeking cancellation of the ownership certificate issued by the second respondent and also the settlement deed executed by private respondents. The first respondent issued enquiry notice on 06.10.2023 calling upon the petitioner and private respondents for enquiry, till date, the first respondent has not completed the enquiry and passed final orders. Aggrieved by the same, the petitioner is before this Court.

3. The learned Special Government Pleader, who is taking notice for the respondents 1 and 2 on instructions submits that the first respondent can conduct enquiry with regard to the ownership certificate issued by the second respondent and the settlement deed executed by the private respondents, pursuant to the ownership certificate cannot be cancelled by the first respondent.

4. It is needless to say, the validity of the registered settlement deed allegedly executed by the private respondents cannot be considered and cancelled by the first respondent and it is for the petitioner to workout his



W.P.No.26845 of 2024

remedy before the Civil Court as far as registered document is concerned. The authority of second respondent to issue ownership Certificate is very much doubtful. The first respondent can consider the validity of the same in the proceedings already initiated by him. Therefore, the first respondent is directed to complete the enquiry initiated by him pursuant to his notice dated 06.10.2023, after affording the reasonable opportunity to the petitioner and the respondents 4 to 9 and pass final orders, on its own merits, within a period of eight weeks from the date of receipt of copy of this order.

5. Accordingly, this writ petition is disposed of. No costs.

13.09.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
ub



WEB COPY



W.P.No.26845 of 2024

To

1.The Revenue Divisional Officer,
Gobichettipalayam.

2.The Tahsildar,
Nambiyur Taluk.

3.The Administrator General and Official
Trustee of Tamil Nadu (AG&OT),
High Court Buildings,
Chennai – 600 104.



WEB COPY



W.P.No.26845 of 2024

S.SOUNTHAR, J.

ub

W.P.No.26845 of 2024

13.09.2024