



W.P.(MD) No.2271 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.2271 of 2018
and
W.M.P.(MD)No.2485 of 2018**

A.Chellappa

... Petitioner

Vs.

1.The State
Represented by its Chief Secretary,
Fort St.George,
Chennai – 09.

2.The State
Represented by its Revenue Secretary,
Fort St. George,
Chennai – 09.

3.The District Collector
Collectorate Office,
Madurai- 625 020.

4.The District Revenue Officer,
Collectorate Office,
Madurai – 625 020.



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5.K.Veluchamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1 to 3 to consider and conduct an appropriate enquiry based on the petitioner's representation dated 23.12.2016 in accordance with law.

For petitioner : Mr.M.Venkatesan

For respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 4.

2. This is the second round of litigation by the petitioner before this Court. The petitioner was aged about 72 years at the time of filing of this present Writ Petition.

3. Earlier, the petitioner had filed W.P.(MD)No.5212 of 2017 before this Court, which was dismissed by an order dated 24.03.2017.

4. Aggrieved by the same, the petitioner preferred an appeal before the



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Hon'ble Division Bench of this Court in W.A.(MD)No.1260 of 2017, which was also dismissed with a liberty to the petitioner to file a fresh Writ Petition by arraying the necessary parties namely, the respondents 4 and 5 herein.

5. It is the case of the petitioner that the petitioner is in enjoyment of tenancy rights on the land to an extent of 1 acre out of 1.92 acres through his wife and daughter and that the land is cultivated under the provisions of the Tamil Nadu Agricultural Lands Record of Tenancy Act, 1969.

6. It is submitted that the respondents 4 and 5 have, unilaterally, taken steps to cancel the patta and therefore, the petitioner constrained to file the Writ Petition in W.P.(MD)No.5212 of 2017, although without impleading the respondents 4 and 5.

7. It is submitted that the since the high handed behaviour of the respondents 4 and 5 constrained to take action against them.

8. On the other hand, the learned Special Government Pleader for the



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respondents 1 to 4 would submit that against the order passed by the fifth respondent, the petitioner had filed an appeal before the Appellate Authority and that the fifth respondent is also retired from service.

9. Be that as it may, the complaint of the petitioner warrants investigation by the officers. Therefore, the third respondent is directed to investigate the complaint given by the petitioner and redress the same on merits within a period of six months from the date of receipt of a copy of this order. If required, appropriate action may be initiated against the respondents 4 and 5 in accordance with law.

This Writ Petition is disposed of, with above direction. No costs.

Index : Yes / No
Internet : Yes / No
apd

20.06.2024

To
1.The State
Represented by its Chief Secretary,
Fort St.George,
Chennai – 09.

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2.The State

Represented by its Revenue Secretary,
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3.The District Collector

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C.SARAVANAN, J.

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