



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.466 of 2025
and W.M.P.No.541 of 2025

M.Saravanan

.. Petitioner

Vs.

1.The District Collector,
District Collector Office Building,
Thiruvallur District – 602 001.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Bharathiyar Street,
S.P.Nagar,
Kakkalur, Thiruvallur District 602 003.

3.Mr.G.Manavalan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records in the impugned proceedings in Na.Ka. No 6418 / 2024 / A6 dated 06.09.2024 on the file of the 2nd respondent and quash the same.



For Petitioner .. Mr.A.Vijayakannan
For Respondents .. Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R1 and R2

ORDER

This writ petition has been filed in the nature of a certiorarified mandamus seeking interference with the proceedings dated 06.09.2024 of the 2nd respondent, the Revenue Divisional Officer at Kakkalur, Thiruvallur District.

2.The proceeding is actually a notice issued to the petitioner herein to appear for an enquiry, on a complaint given by the 3rd respondent who is the father of the writ petitioner herein.

3.It is the grievance of the 3rd respondent that the petitioner is residing in the house of the 3rd respondent. It is contended that the petitioner had taken away the original title deeds of the said property and also cash of Rupees One Lakh from the 3rd respondent. Seeking return of the title deeds and the cash, a petition was given by the 3rd respondent before the 2nd respondent. The petitioner had given an explanation. But to the extent to which the learned counsel for the petitioner of the



Court could read the explanation, there is no indication that the petitioner had deposited the original title deeds before the learned District Munsif Court at Poonamallee, wherein, the petitioner had filed O.S.No.230 of 2024 seeking protection of possession. The defendants in that suit are the brothers of the petitioner and the father/3rd respondent herein.

4.In the affidavit filed in support of this writ petition, the petitioner had however averred that he had deposited the original title deeds in the said suit. If that be the case, the petitioner shall appear before the 2nd respondent and give specific explanation that he had deposited the title deeds into the Court. With respect to the issue of Rupees One Lakh, the jurisdiction of the 2nd respondent is quite narrow on that point. The 2nd respondent may thereafter pass orders on the representation given by the 3rd respondent.

5.The learned counsel for the petitioner stated that the issue could be referred to mediation. But however, since the said suit is pending in O.S.No.230 of 2024 before the District Munsif Court, Poonamallee, wherein not only the petitioner but also his brothers and father are parties, it will only be appropriate that a direction is given to the District Munsif, Poonamallee to refer the issues which arise in that suit



which also include the rights to reside in the property by the petitioner and the right to assertion by the defendants therein for the title deeds to be referred to mediation.

6.The writ petition need not be kept pending. The petitioner may appear before the 2nd respondent and submit his explanation along with necessary documents and the 2nd respondent may pass appropriate orders after considering such explanation.

7.This writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

08.01.2025

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr

To

1.The District Collector,
District Collector Office Building,
Thiruvallur District – 602 001.



2. The Revenue Divisional Officer,
Revenue Divisional Office,
Bharathiyar Street,
S.P.Nagar,
Kakkalur, Thiruvallur District 602 003.



WEB COPY



6

C.V.KARTHIKEYAN,J.

SSI

W.P.No.466 of 2025
and W.M.P.No.541 of 2025

08.01.2025