



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 34160 of 2018
& WMP.Nos.39690 & 39692 of 2018**

Saravanan
S/o.Elumalai, Anna Nagar,
Koothampoondi Post, Thiruchengode
Taluk, Namakkal District.

Petitioner(s)

Vs

1. The Revenue Divisional Officer
Thiruchengode, Namakkal District.

2.The Tahsildhar
Thiruchengode,
Namakkal District

3.The Revenue Inspector
Manickampalayam,
Pullagoundampatti Post,
Thiruchengode Taluk,
Namakkal District.

4.Mrs.Sulocnana,
The Revenue Inspector,
Manickampalayam,
Pullagoundampatti post,
Thiruchengode Taluk,
Namakkal District

5.Bharathi
W/o.Lakshmanan, Koothampoondi
post, Thiruchengode Taluk,
Namakkal District

Respondent(s)

**PRAYER**

This writ petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, calling for the records pertaining to the impugned show cause notice having reference Na.Ka.No.2554/ 2018 / A dated 17.12.2018 on the file of 1st respondent and to quash the same

For Petitioner(s): Mr.P.Vijendiran
For Mr.E.P.Senniyangiri

For Respondent(s): Mr.T.M.Rajangam,
Government Advocate
for RR1 to 3
No appearance for R4
Mr.S.Viswanathan for
M/s.Dass And Viswa Associates,
for R5

ORDER

This is the second round of litigation between the petitioner and the revenue authorities. The petitioner is principally aggrieved by the issuance of notice by the first respondent seeking to survey the subject land.

2.The petitioner claims himself to be a beneficiary of free house patta granted by the Government. One of the conditions stipulated by the Government was that the beneficiary should construct house at the site within six months. The fifth respondent has made a complaint before the revenue authorities stating that the petitioner has left the land vacant and has breached the conditions by not building a dwelling house in the allotted plot. Initially the respondent issued a notice dated 24.08.2018 calling upon the petitioner and others for an enquiry into the allegations made by the fifth respondent herein. Challenging the said



notice to the petitioner and others, the petitioner preferred a writ petition in W.P.No.27714 of 2018. It is stated by the petitioner in the affidavit in the present writ petition that W.P.No.27714 of 2018 was withdrawn, with liberty to approach the Revenue Divisional Officer.

3.While the matter stood thus, the present impugned notice has been issued by the first respondent directing the Surveyor, Thiruchengode to survey the property and submit a report. According to the petitioner, the attempt of the respondent is only to disturb the peaceful possession and enjoyment of the property by the petitioner and that the fifth respondent has made false allegations against the petitioner. Therefore, the petitioner had prayed to quash the notice issued by the first respondent.

4.The first respondent has filed a detailed counter affidavit rebutting the averments made by the petitioner in the petition. According to the first respondent, a detailed enquiry was made after a complaint was made by the fifth respondent herein and it was found that the petitioner has not built a dwelling house and the plot has remained vacant ever since it was allotted to the petitioner. When a condition is imposed by the Government that a dwelling house should be built within a period of six months, till date the petitioner has not made any attempts to built the dwelling house. The first respondent has also stated that the impugned notice is issued not only against the petitioner but, also



others and therefore, the objection raised by the petitioner in the impugned notice is totally unsustainable. According to the first respondent, the impugned notice only has called upon the surveyor to survey the land and file a report and the respondents are not attempting to dispossess the petitioner in any manner. Therefore, the respondent has prayed for dismissal of the petition.

5. Heard both sides and perused the materials available on record.

6. Without interfering with the impugned order passed by the first respondent, the first respondent is directed conduct an enquiry by calling upon the petitioner and fifth respondent and to pass appropriate orders, in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

13-10-2025

Tsg
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



To

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