



W.P.(MD)No.21126 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2025

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THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.21126 of 2024

and

W.M.P(MD)No.17895 of 2024

T.Rajapandian

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Tirumangalam,
Madurai.

2.The Tahsildar,
Thiruparankundram,
Madurai.

3.R.Prema

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records of the first respondent dated 06.07.2024 in proceedings Na.Ka.No.5564/2024/A4, quash the same, as the same is arbitrary, ultravires, colorable exercise of power and contrary to G.O.Ms.No.409/2008, dated 02.07.2008.

For Petitioner : Mr.R.G.Shankar Ganesh

For R1 & R2 : Mr.A.Kannan
Additional Government Pleader

For R3 : Mr.D.Venkatesh



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ORDER

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The writ petition has been filed challenging the enquiry notice issued by the first respondent, dated 06.07.2024.

2. With the consent of both sides, the writ petition is taken for final disposal.

3. The petitioner purchased the property in S.No.198/8 (New S.No. 198/8B) to an extent of 17 cents, in Thanakankulam Village, Thirupparankundram Taluk, Madurai District, under registered sale deed, dated 04.06.1998. From the date of purchase, the petitioner was in peaceful possession and enjoyment of the property. The petitioner was also issued patta in Patta No.24346 for the subject lands. While so, the third respondent filed an application before the first respondent to cancel the patta issued in favour of the petitioner. On the basis of the application of the third respondent, the first respondent issued summons to the petitioner on 02.08.2024, and directed him to appear for enquiry on 08.08.2024. On receipt of the summons, the petitioner appeared before the first respondent along with all documents. The first respondent without considering the petitioner's documents adjourned the application for further hearing. The petitioner further stated that as there was title dispute, he filed a suit in O.S.No.261 of 2024 on the file of the Sub Court,



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Thirumangalam with respect to the subject lands, in which, all the respondents were arrayed as defendants. The petitioner brought to the notice of the first respondent about the pendency of the suit and also produced the copy of the plaint. When there was dispute with regard to the title, the first respondent instead of referring the matter to the civil Court issued the impugned summon for enquiry and therefore the petitioner filed the above writ petition for the aforesaid relief.

4. It is seen that the impugned order is only a summon for enquiry and it appears that the petitioner on earlier occasion appeared before the first respondent. More over, the petitioner has not made out any justifiable or reasonable grounds for quashing the impugned notice of enquiry. Therefore, the prayer sought for in the writ petition cannot be countenanced. The writ petition is dismissed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

08.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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N.MALA, J.

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