

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.28209 of 2012

M/s.Citrex Products Limited
Rep. by its Director, K.Balasubramanian,
2F-1, "Atkinson Palace",
No.2, Jyothi Venkatchallam Road,
Vepery, Chennai - 600 007.

... Petitioner

Vs.

1.The District Collector,
Tiruvellore.

2.The District Revenue Officer,
Tiruvellore.

3.The Revenue Divisional Officer,
Tiruvellore.

4.M/s.Meta Films (India) Limited,
No.157/1, GNT Road, Chinnambedu Post,
Kavarapet - 601 206.

5.G.Ramakrishnan.

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to direct the respondents 1 to 3 herein to enquire into the representation dated 08.12.2009 given to the 1st respondent and cancel the patta bearing No.509 in Survey No.124/4B subsequently subdivided as 124/15 in Peravallur village in Ponneri of the 5th respondent.

For Petitioner :Mr.Prakash Goklaney

For Respondents:Mr.B.Anand

Government Advocate for R1 to R3

Mr.H.Karthik Seshadri

For M/s.Iyer & Thomas for R4

O R D E R

The prayer in the Writ Petition is to direct the respondents 1 to 3 to enquire into the representation of the petitioner dated 08.12.2009 given to the 1st respondent and cancel the patta bearing No.509 in Survey No.124/4B, subsequently subdivided as 124/15 in Peravallur Village in Ponneri of the 5th respondent.

2. According to the petitioner, they are owners of the land measuring an extent of 30.8 acres and they have sold 5 acres to the fourth respondent, who in turn, sold some portion in favour of the fifth respondent. The grievance of the petitioner is that while issuing patta in favour of the respondents 4 and 5, the lands of the petitioner have also been shown and hence, the petitioner sent a representation to the first respondent on 08.12.2009. Since no action was taken, the present Writ Petition.

3. Heard Mr.Prakash Goklaney, learned counsel for the petitioner; Mr.B.Anand, learned Government Advocate for the respondents 1 to 3; Mr.H.Karthik Seshadri, learned counsel, representing M/s.Iyer & Thomas, learned counsel for the fourth respondent and perused the materials available on record.

4. If the petitioner is aggrieved by issuance of patta in favour of the respondents 4 and 5, an appeal lies before the third respondent and if the appeal is filed in time, the third respondent would have considered the grievance of the petitioner. It is settled that a Writ of Mandamus would lie when the respondents failed to discharge their statutory duties. The present Writ Petition has been filed based on the representation to the first respondent. In my considered opinion, the first respondent is not the Competent Authority to consider the representation of the petitioner.

5. In the light of the above fact, I do not find any merit in the Writ Petition. Accordingly, the Writ Petition is dismissed. There is no order as to costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

r n s

To

1.The District Collector,
Tiruvellore.

2.The District Revenue Officer,
Tiruvellore.

3.The Revenue Divisional Officer,
Tiruvellore.

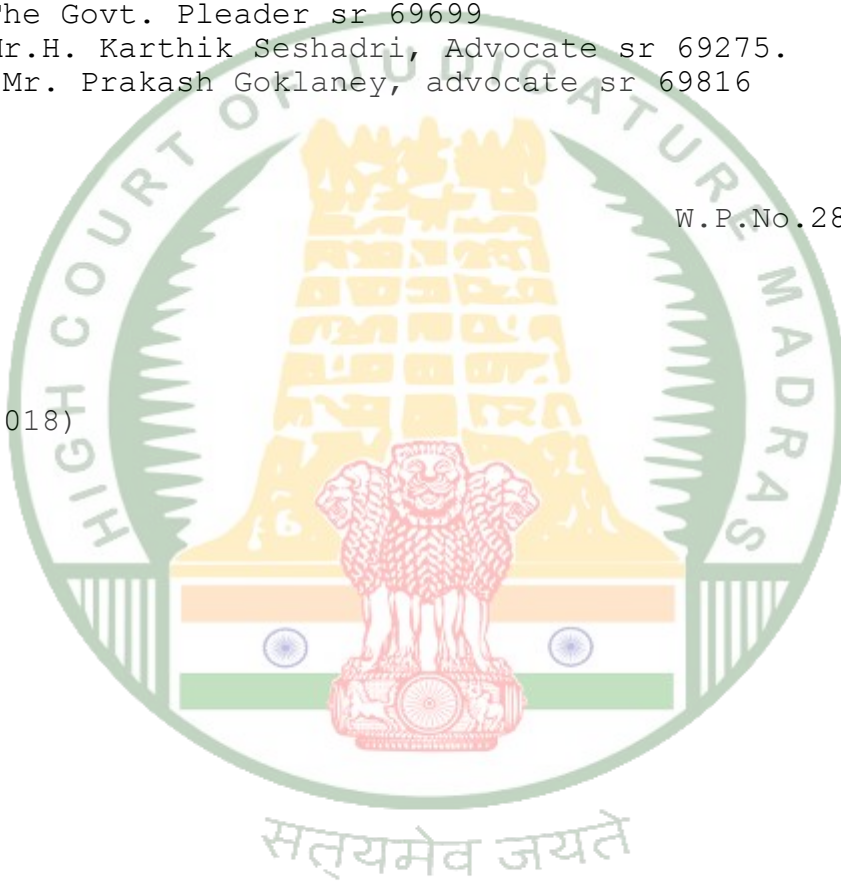
+1 CC to The Govt. Pleader sr 69699

+1 CC to Mr.H. Karthik Seshadri, Advocate sr 69275.

+2 CCS to Mr. Prakash Goklaney, advocate sr 69816

W.P.No.28209 of 2012

SS (CO)
SP (12/11/2018)



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