

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.9724 of 2018

B.Vinothkumar

Rep. by his power of Attorney

B. Selvaraj

... Petitioner

Versus

1. The Additional District Magistrate and
District Revenue Officer,
Kancheepuram District.

2. The Thasildar,
Alandur Taluk,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 1st respondent in Na.Ka.No.9423/2017/No.3 dated 21.12.2017 and quash the same and consequently, direct the 1st respondent to revise the order.

For Petitioner : Mr.M.Manikandan

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

O R D E R

Challenging the impugned order dated 21.12.2017 passed by the Additional District Magistrate and District Revenue Officer, Kancheepuram District, the 1st respondent herein, the present Writ Petition has been filed.

2. Heard the learned Counsel for the petitioner and the learned Special Government Pleader who takes notice for the respondents.

3. This Court is not able to find any merit in the Writ Petition. The reason being the petitioner said to have purchased a vacant land covered in S.No.583/2A, 583/24B in Patta No.177 at Pillaiyar Kovil Street, Manapakkam Village, Sriperambathur Taluk, Kancheepuram District from one Mrs.P.Santhi through her Power of Attorney Holder vide Registered Sale Deed in Document No.4891/2009 at District

Registrar, South Chennai dated 7.10.2009 for a valid consideration. Thereafter, the petitioner developed his property. However, two persons, namely, V.Manikandan and V.Kannan have interfered with his peaceful possession on the ground that the patta was already cancelled by the Revenue Divisional Officer, Kancheepuram based on the request of Mr.V.Kannan. Subsequently, the Thasildar, Alandur Taluk, Kancheepuram District, the 2nd respondent herein has conducted an enquiry and based on the same, the District Revenue Officer, Kancheepuram has passed the impugned order cancelling the patta granted in favour of the petitioner's predecessor. But no reason was assigned by the District Revenue Officer, the 1st respondent herein for cancelling the patta issued in favour of the petitioner's predecessor.

4. In my considered opinion, the action of the 1st respondent cannot be found fault with. As I have mentioned above, the owner of the property, who has granted the Power of Attorney, himself has passed away on 12.9.2000. Subsequently, the power of attorney holder one Rudrakotti, son of Ettiappan on the basis of the power of attorney executed on 10.7.2000 by the Duraisamy Naidu has executed the sale deed. Therefore, the 1st respondent has rightly passed the Impugned order. I find no infirmity in the said order.

5. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional District Magistrate and
District Revenue Officer,
Kancheepuram District.

2. The Thasildar,
Alandur Taluk,
Kancheepuram District.

+ 1 cc to Mr. Government Pleader Sr.29936

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