

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED:31.08.2018  
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
W.P.No.25975 of 2013  
M.P.Nos.1 & 2 of 2013

Manali Veeraraghava Mudaliyar ... Petitioner  
Versus

1.The District Collector,  
Kancheepuram District,  
Kancheepuram.

2.The Revenue Divisional Officer  
Kancheepuram District,  
Kancheepuram.

3.The Tahsildar,  
Sriperumbudur Taluk,  
Kancheepuram District,  
Kancheepuram.

4. M.Vasantha .... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondent to conduct a proper enquiry and cancel the patta issued to the said Vasantha vide Patta No.831 for the property in Survey No.138, Part-2 situated at No.48, Kamatchi Amman Koil Street, Mangadu, Chennai and reissue the patta in the petitioner name.

For Petitioner : Mr.D.S.Ramesh

For Respondents : Mrs.A.Srijayanthi

Spl. Govt. Pleader for R1 to R3

: Mr.M.V.Hari Ram for R4

O R D E R

The relief sought for in this writ petition is to direct the respondent to conduct a proper enquiry and cancel the patta issued to the said Vasantha vide Patta No.831 for the property in Survey No.138, Part-2 situated at No.48, Kamatchi Amman Koil Street, Mangadu, Chennai and reissue the patta in the petitioner name.

2. The learned counsel appearing for the petitioner submitted that the writ petitioner is the absolute owner of the property described in the present writ petition. Thus the patta granted in favour of the 4<sup>th</sup> respondent was based on certain incorrect facts, hence the petitioner preferred an application on 05.09.2013 before the third respondent for cancellation of patta.

3. This Court is of the opinion that whenever an application seeking for grant of patta or cancellation of patta, it must be dealt with by the competent authorities in accordance with the procedures contemplated under the patta Pass Book Act. Thus, the application submitted by the writ petitioner ought to be considered by providing an opportunity to all the parties concerned.

4. The learned counsel appearing for the petitioner further submitted that the said application submitted by the writ petitioner dated 05.09.2013 is still pending. This being the factum of the case, the 3<sup>rd</sup> respondent is directed to conduct an enquiry by providing an opportunity to all the parties concerned and pass final order on the application submitted by the writ petitioner on 05.09.2013 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation, relevant documents along with a copy of this order.

5. Accordingly, this writ petition is disposed of. No costs. Connected miscellaneous petition is also closed.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

dpq  
To

1.The District Collector,  
Kancheepuram District,  
Kancheepuram.

2.The Revenue Divisional Officer  
Kancheepuram District,  
Kancheepuram.

3.The Tahsildar,  
Sriperumbudur Taluk,  
Kancheepuram District,  
Kancheepuram.

+lcc to D.S.Ramesh, Advocate SR.NO.60090  
+lcc to Government Pleader SR.NO.60591

sm:9.10.2018

W.P.No.25975 of 2013  
M.P.Nos.1 & 2 of 2013