

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.18394 of 2015
and
M.P.No.1 of 2015

A.R.Nandagopal
S/o. A.L.Rajarathinam

...Petitioner

.Vs.

1.The District Collector,
Kancheepuram,
Kancheepuram District.

2.The Revenue Development Officer,
Tambaram, Chennai - 45.

3.The Tahsildar,
Alandur Taluk Office,
1st Main Road, Nanganallur,
Chennai - 61.

4.Sugeetha Sathishkumar
W/o. Mr.Sathishkumar

....Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 3rd respondent to pass a considered order on the application given by the petitioner on 18.05.2015 and consequential relief by way of direction to cancel the patta issued in favour of the 4th respondent and thereafter, issue patta in favour of the petitioner A.R.Nandagopal, S/o.A.L.Rajarathinam pertaining to petition property bearing premises No.2, Sowri Street, Alandur, Chennai - 16, comprised in S.No.492, measuring an extent of 4652 sq.ft.

For Petitioner : Mr.T.Ramachandran

For R1 to R3 : Mrs.A.Madhumathi
Special Government Pleader

For R4 : Mr.A.Vivek
for M/s.M.Kosala Raman

O R D E R

The petitioner has filed the above writ petition to issue a writ of mandamus directing the 3rd respondent/Tahsildar to

pass an order on the application given by the petitioner dated 18.05.2015 and for a consequential relief by way of a direction to cancel the patta issued in favour of the 4th respondent and thereafter, issue patta in favour of the petitioner in respect of the property bearing Premises No.2, Sowri Street, Alandur, Chennai - 16, comprised in S.No.492, measuring an extent of 4652 sq.ft.

2.It is the case of the petitioner that the 3rd respondent had issued patta in favour of the 4th respondent erroneously. Therefore, the same should be cancelled.

3.When the 3rd respondent/Tahsildar had issued patta in favour of the 4th respondent, the remedy open to the petitioner to get the patta cancelled is only under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983, and the 3rd respondent/Tahsildar is not the competent authority to cancel the patta.

4.In such view of the matter, I am not inclined to entertain this writ petition and accordingly, this writ petition is dismissed. However, it is open to the petitioner to file an appeal as against the issuance of patta in favour of the 4th respondent as per the provisions of Section 12 of Tamil Nadu Patta Pass Book Act, 1983. No costs. Consequently, connected miscellaneous petition is closed.

s/d
Assistant Registrar

True Copy

Sub-Assistant Registrar

mkkn

To

- 1.The District Collector,
Kancheepuram,
Kancheepuram District.
- 2.The Revenue Development Officer,
Tambaram, Chennai - 45.
- 3.The Tahsildar,
Alandur Taluk Office,
1st Main Road, Nanganallur,
Chennai - 61.

+cc to The Government Pleader, SR.No.29648

W.P.No.18394 of 2015

PP (CO)
RN (27/11/2020)

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