

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12359 of 2020

T.Ranganathan

...Petitioner

-Vs-

- 1 The State Rep by
The District Collector Office of District
Collectorate Chengalpattu District
- 2 The District Revenue officer
Office of District Revenue Office
Chengalpattu District
- 3 The Tahsildar
Tiruporur Tahsildar office Tiruporur
- 4 Lakshmi Narshim Sharma
S/o. Krishnasamy Sharma No. 76/3
Venkataranga Pillai Street Triplicane
Chennai 5. ...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioners representation dated on 15.06.2020 for cancellation of Patta vide Patta No. 1296 on 27.01.2016 issued in favour of Mr. Lakshmi Narshim Sharma herein 4th Respondent.

For Petitioner : Mr.S.Sugendran
For Respondents : Mr.E.Balamurugan
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made on 15.06.2020 wherein the petitioner has sought for cancellation of the Patta issued in favour of the fourth respondent.

2. The case of the petitioner is that the subject property originally belonged to the grandfather of the petitioner and

after his demise, the same vested with the father of the petitioner and according to the petitioner his father was in possession and enjoyment of the same. The further case of the petitioner is that his father had two sons and after his demise, both of them jointly inherited the property. The grievance of the petitioner is that the Patta has been issued in favour of the fourth respondent by proceedings dated 27.01.2016 and according to the petitioner the fourth respondent has absolutely no title over the property. The petitioner therefore made a representation to the respondents seeking cancellation of Patta issued in favour of the fourth respondent. Since the same was not considered the present writ petition has been filed seeking for appropriate directions.

3. Heard the learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader for the respondents.

4. In the considered view of this Court, if the petitioner is seeking for cancellation of Patta issued in favour of the fourth respondent, the appropriate authority to deal with such representation will be the concerned Revenue Divisional Officer. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents 1 to 3 submitted that the concerned Revenue Divisional Officer is Revenue Divisional Officer, Chengalpattu and the petitioner has to submit the representation only before the said authority.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the petitioner to submit the representation before the Revenue Divisional Officer, Chengalpattu along with all the relevant documents. The Revenue Divisional Officer, Chengalpattu, on receipt of the representation, shall issue notice to the fourth respondent and hear both the parties and take a decision strictly in accordance with law. The Revenue Divisional Officer shall take a decision within a period of eight weeks from the date of receipt of the representation from the petitioner. The petitioner, while sending the representation to the Revenue Divisional Officer, shall also send a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KST

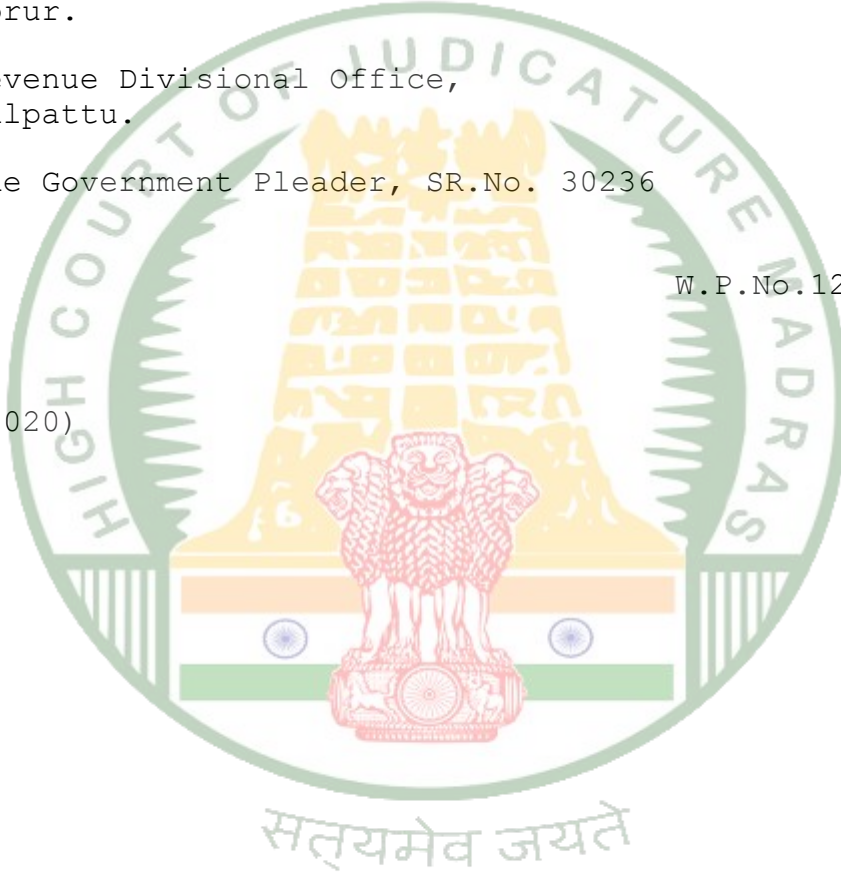
To

- 1 The District Collector,
Office of District Collectorate
Chengalpattu District.
- 2 The District Revenue officer,
Office of District Revenue Office
Chengalpattu District.
- 3 The Tahsildar,
Tiruporur Tahsildar office,
Tiruporur.
- 4 The Revenue Divisional Office,
Chengalpattu.

+1cc to The Government Pleader, SR.No. 30236

W.P.No.12359 of 2020

JP (CO)
RN (23/10/2020)



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