



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No.14454 of 2016

E. Chandrasekar

..Petitioner

Versus

1. The District Collector
Kancheepuram District
Kancheepuram
2. The President
Kundrathur Panchayat
Kundrathur, Chennai 600 069
Kancheepuram District.
3. The Village Administrative Officer,
Kundrathur, Chennai 600 069.
4. The District Registrar-Chennai South,
Jones Road, Saidapet,
Chennai 600 015.
5. The Sub-Registrar,
Kundrathur, Chennai 600 069.
6. The Tasildar,
Sriperumbudur Taluk,
Sriprumbudur, Tamilnadu.
7. A.Vinayagam
8. V.Thiyagarajan
9. V.Bharanidharan
10. V.Dhinesh
11. B.Sivakumar
12. V.Uma Maheswari
13. P.Chandrasekar
14. V.Kumar
15. R.Govindan
16. V.Poobalan
17. V.Malleeshvari
18. S.Suresh Kumar
19. A.Shamsudheen



20. A.Beer Mohammed

21. P. Murali

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 19.2.2016 to direct the respondents 4 and 5 to cancel/annul the invalid documents executed by the respondents 7 to 13 in favour of the respondents 14 to 21 within the time fixed by this Court.

For Petitioner : Mr. C.Veeraraghavan
For Respondents : Mr. R.Rajendra Narasimman - R2
Mr. D.Ramalingam - R4
Mr. C.Prabakaran - R8, 9, 10, 12, 15,
16, 18 to 21

ORDER

The relief sought for in this writ petition is to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the representation dated 19.2.2016 of the petitioner, requesting the respondents 4 and 5 to cancel/annul the invalid documents executed by the respondents 7 to 13 in favour of the respondents 14 to 21 within the time fixed by this Court.

2. According to the petitioner, he is the absolute owner of the land bearing Plot No.56 in Kumaran Nagar layout in Kundrathur Village in S.No.611, Sriperumbuthur Taluk, Kancheepuram District and he has been in absolute possession and enjoyment of the same having purchased it by means of a registered sale deed dated 05.12.2012. This Plot No.56 purchased by the petitioner is one of the pieces of the plots out of a larger extent of land measuring 1 acre 68 cents in Survey No.611. The land measuring 1 acre 68 cents was subdivided into 594 plots to form the layout in the name of Kumaran Nagar. The layout called Kumaran Nagar was formed by the respondents 7 to 13 herein and one of the purchasers from the respondents 7 to 13 is the vendor of the petitioner by name G. Shanthi. In other words, the petitioner has purchased Plot No.56 from the above said G. Shanthi. According to the petitioner, in the layout formed as Kumaran Nagar, there is no Plot Nos. 11A, 22A, 33A, 44A, 56A and 69A and those portions are originally 24 feet roads. The respondents 7 to 13 with a criminal and dishonest intention, to grab the 24 feet roads, earmarked in the layout, created fraudulent and invalid documents. Thus, the grievance of the petitioner is that the respondents 7 to 13, through creation of fraudulent documents are attempting to grab the public road. In this context, the



petitioner has submitted representation on 19.02.2016 to the respondent authorities seeking to cancel/annul the documents created and executed among the respondents 7 to 13, but the same is kept pending without any action. Aggrieved by such inaction on the part of the respondents 1 to 3, the petitioner has filed this writ petition for the aforesaid relief.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. Though the petitioner has raised vary many grounds seeking a direction to the respondents 1 to 3 to consider his representation and to direct the respondents 4 and 5 to cancel/annul the invalid documents executed by the respondents 7 to 13 in favour of the respondents 14 to 21, the learned counsel for the petitioner confined his argument and submitted that it would suffice if a direction is issued to the respondents 1 to 3 to consider his representation dated 19.02.2016 and pass appropriate orders thereof.

5. In view of the above, this Court, without going into the merits of the case, directs the respondent authorities to consider the representation of the petitioner dated 19.02.2016, if not considered earlier, and pass orders on the same on merits and in accordance with law, after giving opportunity to the petitioner, the respondents 7 to 21 as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The President,
Kundrathur Panchayat,
Kundrathur, Chennai 600 009,
Kancheepuram District.



3. The Village Administrative Officer,
Kundrathur, Chennai 600 069.

4. The District Registrar-Chennai South,
Jones Road, Saidapet,
Chennai 600 015.

5. The Sub-Registrar,
Kundrathur, Chennai 600 069.

6. The Tasildar,
Sriperumbudur Taluk,
Sriprumbudur, Tamilnadu.

+1CC to Mr.Government Pleader, Sr.No.45200

WP No.14454 of 2016

PMK (CO)
K.RK. (05.10.2021)