



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3706 of 2020

M.Sarangan

... Petitioner

-Vs-

1. The Collector,
Thiruvallur District.

2. The Tahsildar,
Madhavaram,
Thiruvallur District.

3. P.Ramesh
(R3 impleaded as per order
dated 21.12.2021, made in
W.M.P.No.20025 of 2020 in
W.P.No.3706 of 2020)

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to consider and pass order on the petitioners representation dated 10.10.2019 submitted to the second respondent for issue of patta pertaining the property situated at Kathirvedu Village, Madhavaram Taluk, Thiruvallur District bearing Survey No.98/2B, Plot No.586 measuring to an extent of 2400 sq.ft within the Sub Registration District of Ambattur, in accordance with law.

For Petitioner : No Appearance

For R1 and R2 : Mr.V.Jeevagiridharan
Special Government Pleader

For R3 : Mr.J.Franklin



ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the second respondent to consider and pass order on the petitioner's representation, dated 10.10.2019 submitted to the second respondent for issuance of patta pertaining the property situated at Kathirvedu Village, Madhavaram Taluk, Thiruvallur District bearing Survey No.98/2B, Plot No.586 measuring to an extent of 2400 sq.ft within the Sub Registration District of Ambattur, in accordance with law.

2. There is no representation on behalf of the petitioner. Heard Mr.V.Jeevagiridharan, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.J.Franklin, learned counsel appearing for the third respondent.

3. The petitioner filed this writ petition for direction, directing the second respondent to issue patta in respect of the property comprised in Survey No.98/2B, Plot No.586, measuring to an extent of 2400 sq.ft, situated at Kathirvedu Village, Madhavaram Taluk, Thiruvallur District.

4. While pending the writ petition, the third respondent filed an implead petition to implead himself as a party to the writ petition, alleging that the property comprised in S.No.98/2B, to an extent of 31 cents, originally belongs to one Neelammbal. From the said Neelammbal, one Kannappa Reddy purchased the said property by the registered sale deed. However, mistakenly, the patta has been issued in the name of the petitioner. Therefore, the legal heirs of said Kannappa Reddy made several representation to cancel the patta issued in favour of the petitioner.

5. The District Revenue Officer, Thiruvallur, conducted a detailed enquiry on the petition submitted by one Banu, dated 26.09.2011 and passed an order on 13.07.2017, thereby cancelled the patta stands in the name of the petitioner and restored the patta in the name of the original owner, Neelammbal. Therefore, the patta has been transferred to the vendors of the third respondent herein. So far, the writ petitioner did not challenge the order passed by the District Revenue Officer, dated 13.07.2017, vide Document proceedings Na.Ka.22942/2017/ஆ3.

6. The legal heirs of the said Kannappa Reddy, sold the subject property to the third respondent's vendor and in



turn, the third respondent purchased the property by the registered sale deed, registered vide Document No.16746 of 2018. Whereas, the petitioner claimed the right over the property without challenging the order passed by the District Revenue Officer, dated 13.07.2017, that too having been participated in the proceedings, the petitioner is not entitled for any relief sought for in the present writ petition.

7. In view of the above, the writ petition is devoid of merits and is liable to be dismissed. Therefore, this writ petition stands dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

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To

1. The Collector,
Thiruvallur District.
2. The Tahsildar,
Madhavaram,
Thiruvallur District.

+1cc to the Government Pleader, SR.No.69583

W.P.No.3706 of 2020

GSM(CO)
CB(24/02/2022)