

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.6259 of 2021

V. Narayanan,
S/o. late Venkatappa

...

Petitioner

Vs

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

3. The Tahsildar,
Hosur,
Krisnagiri District.

4. The Zonal Deputy Tahsildar,
Hosur Taluk,
Krishnagiri District.

5. V. Muniraj

...

Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 29.12.2020 passed in Application No.2020/0103/31/158931 on the file of the 4th respondent herein, quash the same and consequently direct the respondents 3 and 4 herein to implement the orders passed by the 2nd respondent in Pa.Mu.2732/2018/B3 dated 27.08.2018 and as confirmed by the 1st respondent in his proceedings in Pa.Mu.16424/2019/J2 dated 05.11.2020.

For petitioner

... Mr. K. Govi Ganesan

For respondents

... Mr.S.N. Parthasarathi,
Gov. Advocate

ORDER

This writ petition has been filed challenging the order passed by the 4th respondent rejecting the petitioner's application to issue patta in the name of one Ramakkal.

2. The fact leading to filing of the writ petition is that, originally patta in respect of Survey No.17/2A in Gopanapalli Village, Hosur Taluk , stands in the name of one Ramakka. Thereafter, a joint patta has been granted in the name of Ramakka along with one Munusamy and Narayanappa/petitioner herein. To remove their name, the petitioner has filed an appeal before the 2nd respondent, Revenue Divisional Officer and the second respondent by an order dated 27.08.2018 issued patta in the name of Ramakka. Challenging the same, the petitioner is said to have made a representation before the District Revenue Officer to include the petitioner's name also in the patta on the ground that he is also having a share in the property. But, that representation came to be dismissed by the District Revenue Officer, by an order dated 05.11.2020, on the ground that a civil suit in O.S.No.303 of 2018 filed by the petitioner is pending before the Sub Court, Hosur and the District Revenue Officer directed the parties to get a decree from the Civil Court and thereafter, file necessary application to seek appropriate relief.

3. Thereafter, the petitioner is said to have filed an application before the 4th respondent to issue patta in the name of the Ramakka and that application was rejected by the 4th respondent. Now, challenging the said order of rejection, the present writ petition has been filed.

4. Admittedly, on the representation filed by this petitioner, the District Revenue Officer passed an order directing the parties to approach the Civil Court and obtain decree and thereafter, file necessary application seeking for issuance of patta and admittedly, Civil suit is still pending. Till the Civil Court decide the title over the property, the petitioner cannot seek for patta in the name of Ramakka, and the fourth respondent rightly rejected the claim made by the petitioner. I find no illegality in the order passed by the fourth respondent and there is no merit in the writ petition.

4. Accordingly, the Writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

3.The Tahsildar,
Hosur,
Krisnagiri District.

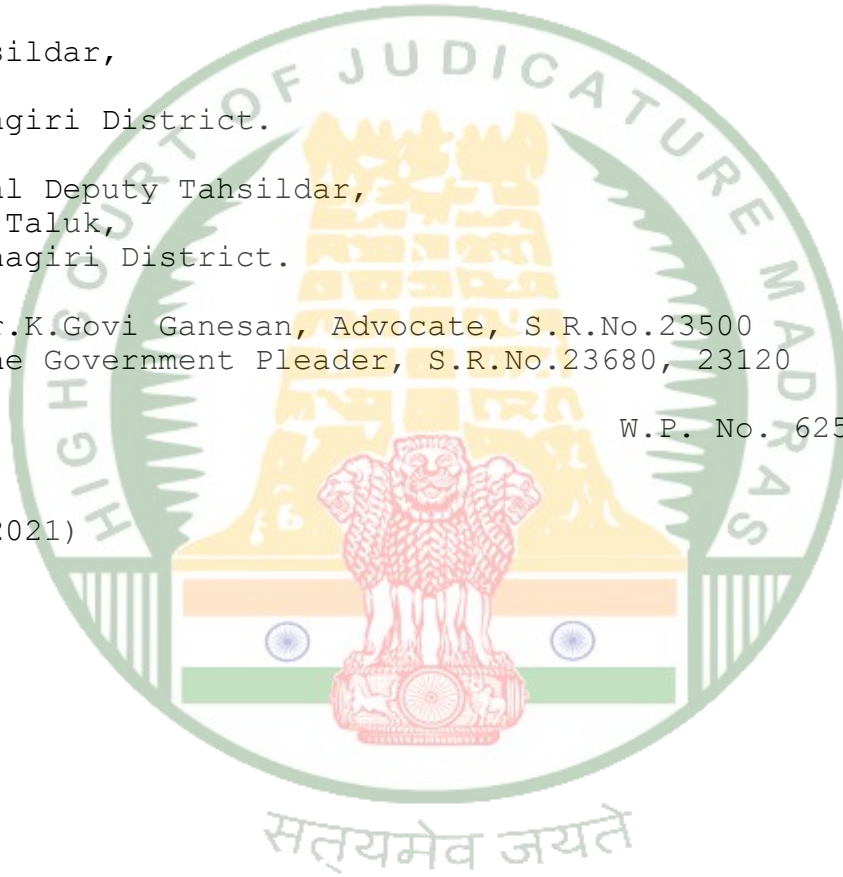
4.The Zonal Deputy Tahsildar,
Hosur Taluk,
Krishnagiri District.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.23500

+1cc to the Government Pleader, S.R.No.23680, 23120

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PCH(CO)
CB(01/06/2021)



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