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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

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THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. NO. 11301 OF 2021

AND

WMP NOS.11946, 11948 & 11951 OF 2021

- 1.M/s. Ramaniyam Real Estate Pvt. Ltd.,
rep. by its Managing Director Mr. V.Jaggannathan
17/35, 2nd Main Road Gandhi Nagar, Adayar,
Chennai - 20.
- 2.Magnum Group (A partnership firm),
rep. by its Authorised Sginatory Mr. V. Jaggannathan,
G.R.R. Business Centre, 21, Vaidyaraman Street,
T. Nagar, Chennai - 17. ...Petitioners

Vs

- 1.State of Tamil Nadu,
rep. by its Secretary to Government,
Revenue Department,
Fort St. George, Secretariat,
Chennai 09
- 2.The District Collector,
Office of the District Collector,
Kancheepuram.
- 3.The Tahsildhar,
Headquarters Tahsildar,
Revenue Department,
Sozhinganallur,
Kancheepuram District.
- 4.M.N. Sridhar ...Respondents
(4th respondent is impleaded as per order
of this Court in WMP No.15097/2021,
dated 23.07.2021)

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the 3rd respondent, in issuing online patta dated 14.03.2019 by reducing the total extent of the property in patta No.4312, of Sholinganallur



taluk, Kottivakkam Village, and quash the same and directing to restore the extent of the patta in Patta No.4312 as found in patta issued by the 3rd respondent, sholinganallur on 15.06.2015.

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For petitioner ... Mr.S.Sundaresan

For respondents ... Mr. Yogesh Kannadesan
Government Advocate

ORDER

Challenging the online patta issued by the Tahsildar/3rd respondent, this writ petition has been filed.

2. According to the petitioner, the petitioner is the owner of the property in Survey No.312/1, Kottivakkam Village, Sozhinganallur Taluk, to an extent of 53.5 ares. Without the knowledge of the petitioner, the above said property has been sub-divided and a patta has been issued to the petitioner to an extent of 49.05 ares in S.No.312/1A and for the remaining extent, patta has been given in respect of 4th respondent. Challenging the same, the present writ petition has been filed.

3. The learned counsel for the petitioner would submit that the petitioner has purchased an extent of 53.50 ares in the above said survey number and he is in possession and enjoyment of the same, but, without his knowledge, the land has been subdivided and the patta has been granted for lesser extent and for the remaining extent, patta has been given to 4th respondent.

4. Impleading petition has been filed by one Mr. M.N. Sridhar, in whose favour patta has been issued, and stated that, he has nothing to do with the survey No.312/1A. In the affidavit filed in support of the impleading petition, it is stated as follows:

"7. All of a sudden, I was served with a notice, dated 08.06.2020 by the Tahsildar, Sholinganallur Taluk, Kancheepuram District, calling up on me to appear for an enquiry on 18.06.2021. When I went there, I was informed that one V. Jaggannathan, was representing the petitioners and had claimed that, patta for the property, which I have purchased, was mutated without his knowledge. The property purchased by me at S.No.312/1B of Kottivakkam Village, Sholinganallur Taluk, Kancheepuram District. On ground, the properties claimed by the petitioners is separated by nearly 1/2 kilometer from my property and is a residential



complex. It is no way connected with the property purchased by me from Rajagopal and others."

5. In view of the stand taken by the 4th respondent, this court directed the Tahsildar/3rd respondent to conduct an enquiry and list the matter today.

6. Today, the Tahsildar, 3rd respondent appeared before this Court and submitted that he has already completed the enquiry and submitted a report before the Revenue Divisional Officer, Sozhinganallur and the matter is pending with the Revenue Divisional Officer and he has to pass orders.

7. Considering the fact that, now the matter is pending with the Revenue Divisional Office, without going into the merits of the case, the Revenue Divisional Officer, Sozhinganallur, is directed to proceed with the enquiry and pass suitable orders, on merits and in accordance with law, after hearing the petitioner as well as the 4th respondent/M.N.Sridhar, within a period of six(6) weeks from the date of receipt of a copy of this order. The petitioner and the 4th respondent are directed to co-operate with the enquiry with the Revenue Divisional Officer, Sozhinganallur.

8. With the above directions, this Writ Petition is disposed of. No costs. Consequentially, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

mrp

To

1.The Secretary to Government of Tamil Nadu,
Revenue Department,
Fort St. George,
Secretariat,
Chennai 09

2.The District Collector,
Office of the District Collector,
Kancheepuram.



3.The Tahsildhar,
Headquarters Tahsildar,
Revenue Department,
Sozhinganallur,
Kancheepuram District.

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Copy To

The Revenue Divisional Officer,
Sozhinganallur.

+1cc to Mr.S.Sundaresan, Advocate SR.No.35383

+1cc to the Government Pleader SR.No.35978

W.P.No.11301 of 2021

SSI(CO)
RVM(21/09/2021)