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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.16361 of 2019

K.P.Anandan

..Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Commissioner of Land Administration,
Chepauk, Chennai - 9.

2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

3. The Revenue Divisional Officer,
South Chennai Revenue Division,
Chennai - 32.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records of the third respondent in Na.Ka.A1/3817/2018, dated 06.03.2019 and quash the same with consequential direction to the second respondent to restore patta No.105 in favour fo the petitioner in respect of S.No.469/1 in Pallikaranai Village, Sholinganallur Taluk, Kancheepuram District.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate

O R D E R

(The case has been heard through video conference)

The writ petition has been filed challenging the order passed by the third respondent RDO, Chennai denying the petitioner's application seeking cancellation of patta.

2. According to the petitioner, he is the owner of the property in Survey No.469/1 & 2 in Pallikaranai Village,



Sholinganallur Taluk, Kancheepuram District, measuring an extent of 1.5 cents. The grievance of the petitioner is that the patta stands in his name and subsequently, without any notice to him, his patta has been cancelled and subsequently patta was issued in the name of one Mr.Pararaman. Now to cancel the above said patta, the petitioner has approached the third respondent RDO. The RDO, after considering the materials has stated that patta has been issued in the name of Mr.Pararaman by DRO, Kancheepuram after due enquiry by an order dated 24.10.2011. In such circumstances, the third respondent RDO has no power to cancel the order passed by the DRO and rejected the petitioner's request and also directed the petitioner to approach the concerned authority to redress his grievance.

3. Heard the learned counsel on either side.

4. As patta has been granted in favour of Mr.Pararaman by the DRO, Kancheepuram, as rightly stated by the third respondent RDO, he has no power to cancel the same. If at all the petitioner has any grievance against the order passed by the second respondent DRO in his proceedings dated 24.10.2011, he has to approach the concerned authority to redress his grievance and the RDO has no power to cancel the patta.

5. In the above circumstances, I find no illegality or irregularity in the impugned order passed by the third respondent. There is no merit in the writ petition and the same is liable to be dismissed and accordingly dismissed. However, liberty is granted to the petitioner to challenge the order passed by the second respondent DRO before the concerned authority. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kk

To

1. The Commissioner of Land Administration,
Chepauk, Chennai - 9.
2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.



3. The Revenue Divisional Officer,
South Chennai Revenue Division,
Chennai - 32.

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NSK 15/07/2021