



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WP.NO.17210/2021

[Video Conferencing]

P.Nagarathinam

... Petitioner

Versus

1. The Tahsildar,
Ponneri Taluk Office,
Ponneri - 601 204
Tiruvallur District.

2. M.Pakkirisamy
3. P.Balachandar

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to take necessary action and to conduct enquiry on the representation of the petitioner dated 15.05.2019 regarding cancellation of patta No.16 in respect of the agricultural land, comprised in survey No.323, measuring an extent of 0.69.0 hectare [i.e.] 1.47 acres situated at Thangalperumbulam Village, Ponneri Taluk, Tiruvallur District.

For Petitioner : Mr.V.Suriya Sankar

For R1 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

1. Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the 1st respondent.

2. The petitioner claims right over the property measuring an extent of 0.74 acres and another property measuring 0.73 acres both in S.No.323, totally measuring 1.42 acres at Thangalperumbulam Village, Ponneri Taluk, Tiruvallur District by way of inheritance from his mother, who had purchased the same



by Sale Deeds dated 09.10.1952 and 12.02.1953 respectively. Both the Sale Deeds were registered. The petitioner's father died on 20.12.1969 and his mother died on 07.09.1987. The petitioner claims to be the only legal heir. The patta of the land continued to be in the name of the vendor of the mother. However, in the year 2019, the petitioner came to know that the patta had been changed in the name of another individual. In view of this, he had given a representation on 15.05.2019 to the 1st respondent/Tahsildar, Ponneri Taluk, Tiruvallur District. It also came to light that the said individual in whose name the patta was given, had also executed a Settlement Deed in favour of respondents 2 and 3.

3. In view of the nature of the order passed now, I am dispensing with the notice to respondents 2 and 3. Rather, I am placing an obligation on the Tahsildar, Ponneri Taluk, to conduct an enquiry and also more particularly, issue notice to respondents 2 and 3/M.Pakkirisamy and P.Balachandar, examine the holdings of the three individuals and thereafter, take a considered decision with respect to the representation of the petitioner. The 1st respondent may take an independent decision on the said representation and he has to necessarily give reasons for any decision which he takes. The entire exercise should be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

The Tahsildar,
Ponneri Taluk Office,
Ponneri - 601 204
Tiruvallur District.

+1cc to M/s.R.Munuswamy, Advocate, S.R.No.41317
+1cc to the Government Pleader, S.R.No.41504

W.P.NO.17210/2021

PMK(CO)
PBS/03/09/2021