



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19351 of 2021

R.Muthupillai

...Petitioner

Vs.

1. The District Revenue Officer,
Thiruppathur,
Government Garden,
Thiruppathur - 635 601.

2. The Tashildar,
Natrampalli Taluk,
Thiruppathur District.

3. The District Collector,
Government Garden,
Thiruppathur - 635 601.

4. The Sub-Collector,
Government Garden,
Thiruppathur - 635 601.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to dispose of the representation dated 21.01.2020 made by the petitioner and to cancel the computerized Patta issued by the second respondent vide Patta No.915 dated 04.05.2016 illegally issued in the name of unknown persons namely Rathna Kumar, Naveena Kumari, Manivanna Kumar, Madhava Kumar, Mohana Kumar.

For Petitioner : M/s.Lakshmi Sriram

For respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petitioner has been filed a mandamus to direct the respondents to dispose of the representation dated 21.01.2020 made by the petitioner and to cancel the computerized Patta



issued by the second respondent vide Patta No.915 dated 04.05.2016 illegally issued in the name of unknown persons viz., Rathna Kumar, Naveena Kumari, Manivanna Kumar, Madhava Kumar, Mohana Kumar.

WEB COPY

2.The case of the petitioner is that the petitioner's grandfather, Late Mr.Govinda Pillai owned 0.48 cents of land in Kudiyanakuppam village, S.No.232/7, Natrampettai Taluk, Thiruppathur District.

3.The petitioner submits that after the death of deponent's grandfather, the property mentioned above devolved upon the deponent's father late Mr.Ramasamy alias Chinnathambi Pillai.

4.The petitioner submits that the Patta No.529 is in the name of Mr.Ramasamy alias Chinnathambi Pillai and the deponent being the eldest son of Mr.Ramasamy Pillai became the absolute owner of the above property after the demise of Mr.Ramasamy Pillai.

5.According to the petitioner, the Tahsildar/the second respondent herein had issued a patta for the above mentioned property in the names of certain unknown persons viz., Rathna Kumar, Naveena Kumari, Manivanna Kumar, Madhava Kumar, Mohana Kumari who are supposedly the legal heirs of one Mr.Janakirama Reddy under Patta No.915 dated 04.05.2016 and sub divided the same as S.No.232/7B for an extent of 0.02 hectares for the reasons best known to the second respondent.

6.The petitioner submits that neither the deponent nor the deponent's late father or grand mother had executed any document or sale deed in favour of the said unknown persons and the Encumbrance Certificate issued by the Joint Registrar, Office of Sub Registrar, Thirupathur District for the above property for the period 01.01.1910 to 08.06.2021 clearly shows that the property has not been sold to any person in a period of more than 100 years and that there is no encumbrance on the said property.

7.The petitioner further submits that when the deponent herein came to know about the above mentioned illegal and unlawful patta granted by the Tahsildar/the second respondent herein, he submitted a representation dated 21.01.2020 to the District Collector, the third respondent herein outlining the fraud played on the deponent and the need for an investigation to be conducted into the matter and praying for the patta to be cancelled and for a rightful and lawful patta to be issued.

8.According to the petitioner, the copies of the above representation were given to the first respondent, second



respondent, the Tahsildar, Thiurpatthur District, Sub-Registrar, Thiruppathur District, Sub-Registrar, Jolarpet, Village Administrative officer, Periyakambampattu, Jolarpet, The District Registrar Registration, Vellore, Commissioner Land Administration, Inspector General Registration, Chennai and the Chief Minister's Special Cell.

9.The petitioner submits that the first respondent sent a communication in O.Mu.D2/520/2020dated 04.02.2020 to the second respondent forwarding the original representation dated 21.01.2020 with a specific direction to take action on the representation and submit the final report to the deponent along with a copy to the first respondent.

10.The petitioner further submits that the first respondent also issued a communication in O.Mu.D2/557/2020 dated 22.6.2020 to the Sub-Collector, Thiruppathur District/the fourth respondent herein with a specific direction to take action on the representation and submit the final report to the deponent along with a copy to the first respondent.

11.According to the petitioner, another representation before the second respondent dated 29.04.2021 enclosing a copy of the communication dated 04.02.2020 from the first respondent to the second respondent, but no action has been taken by the respondents till date with regard to the representation filed by the deponent.

12.The petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, the writ petition filed.

13.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

14.In the above facts and circumstances of the case and considering the submission made by the petitioner and without expressing any opinion on merits, this Court directs the respondents to consider the representation dated 21.01.2020 sent by the petitioner and pass appropriate orders in accordance with law after affording an opportunity to all the parties concerned, within a period of three months from the date of receipt of a copy of this order.



WEB COPY

15. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

pam

To

1. The District Revenue Officer,
Thiruppathur,
Government Garden,
Thiruppathur - 635 601.
2. The Tashildar,
Natrampalli Taluk,
Thiruppathur District.
3. The District Collector,
Government Garden,
Thiruppathur - 635 601.
4. The Sub-Collector,
Government Garden,
Thiruppathur - 635 601.

+1cc to M/s.Lakshmi Sriram, Advocate, S.R.No.46727
+1cc to the Government Pleader, S.R.No.47173

W.P.No.19351 of 2021

SRA[co]
NSK 24/11/2021