



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO. 20103 OF 2021

K.Soundararajan

..Petitioner

Versus

1. The District Collector,
Chennai Collectorate,
Chennai -600 001.
2. The Revenue Divisional Officer,
Central Chennai Division,
Thirumangalam
Chennai - 600 040.
3. The Tahsildar,
Egmore Taluk,
Egmore, Chennai - 600 008.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Revenue Divisional Officer/2nd respondent herein to consider the representation dated 15.10.2020 and effect changes in the patta already issued in respect of proceedings dated 25.09.2020 in TR.No.2020/0158/02/000595-2020-09-24 on the file of the Revenue Divisional Officer, Chennai Central Division, Nanmangalam, Chennai-600 040, the 2nd respondent herein within the time frame as may be fixed by this Court.

For Petitioner : Mr.A.V.Arun

For Respondents : Mr.V.Veluchamy
Government Advocate

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, directing 2nd respondent/Revenue Divisional Officer herein to consider the petitioner's representation, dated 15.10.2020 and effect changes in the patta already issued in



respect of proceedings dated 25.09.2020 in TR.No.2020/0158/02/000595-2020-09-24 on the file of the Revenue Divisional Officer, Chennai Central Division, Nanmangalam, Chennai-600 040, the 2nd respondent herein within the time frame as may be fixed by this Court.

2. The case of the petitioner is that the land in Survey Nos.51/2, 51/3 and 51/4, Nungambakkam Village, was purchased by forefather, the Zamindar of Sivagiri namely Ramalinga Varaguna Rama Pondiya Chinna Thambiar by registered a sale deed dated 29.03.1911 vide Doc.No.817/1911 on the file of Sub Registrar Office, Royapuram, then now Mylapore and the aforesaid lands were inherited by his grandfather and his brothers family (i) Senthatti Kalai Pandia Chinnathambiar (ii) Guruswami Pandian, (iii) Sangili Veerappa Pandian alias Thangasami (iv) Peria Muthuswami Pandian alias Sellasami (v) Sangili Veerappa Pandian and (vi) Muthusamy Pandian. It is submitted that the legal heirs of the Zamindar have filed a suit for all the properties of Zamindar of Sivagiri including the property at Nungambakkam Village in O.S.No.57 of 1947 and the above said land has been given to Varaguna Rama Senthatti Kalai Pandian by way of adjusting shares along with the legal heirs. Subsequently, Patta has been granted in the name of aforesaid six persons. As stated above, the five legal heirs had released their right in favour of Varaguna Rama Pandia Chinnathambiar, who is his grandfather. Thus, Patta has to be granted only in the names of Senthatti Kalai @ Sivagiri Raja (2) Kutti Raja @ Sangili Veerappa Pandian (3) Yuvaraja (4) Ayilya Olli Raja (5) Jeyarani. However, Patta has been granted in the names of the legal heirs of the Zamindar. The 2nd respondent herein by his proceedings dated 25.09.2020 in TR.No.2020/0158/02/000595-2020-09-24 has granted patta in the name of their ancestors and not in the name of the aforesaid persons. Hence, the petitioner submitted a representation dated 15.10.2020 to grant patta in the name of legal heirs of Senthatti Kalai Pandian Chinnathambiar as stated above. After receiving such representation by the respondents on 20.10.2020, no action has been taken by the respondents and he made another representation by way of a reminder dated 04.02.2021, still there is no action taken by the respondents. In spite of several representations dated 15.10.2020, 20.10.2020 and 04.02.2021 given before the respondents, but the respondents have not been considered the same. The 2nd respondent is the competent authority to consider the representations and make necessary entries in the Patta, unless this Court issues a suitable direction, the respondents would not consider the same. Therefore, the petitioner has filed this writ petition to seek appropriate relief.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent to consider the petitioner's



representation dated 15.10.2020 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 1st respondent to consider the petitioner's representation dated 15.10.2020 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

msm

To

1. The District Collector,
Chennai Collectorate,
Chennai -600 001.
2. The Revenue Divisional Officer,
Central Chennai Division,
Thirumangalam
Chennai - 600 040.
3. The Tahsildar,
Egmore Taluk,
Egmore, Chennai - 600 008.

+1cc to M/s.A.V.Arun, Advocate, S.R.No.48029

+1cc to the Government Pleader, S.R.No.49059

W.P.No. 20103 of 2021

JP-II(CO)
RLP(26/10/2021)