



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.25094 of 2021

K.M.Nagaraj

...Petitioner

Vs

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

3.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

4.The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to cancel the patta issued in Patta Nos.816 & 7999 and consequently issue joint patta in the name of the legal heirs of Anumaiya Gowdu in respect of the properties comprised in S.Nos.368, 369/B2, 369/2B, 374/6, 412/1, 412/2, 413/6, 434, 435, 439/2, 461/4 and 487 situated at Ballapalli Village, Denkanikottai Taluk, Krishnagiri District by considering the representation dtd 14.07.2021.

For Petitioner : Mr.R.S.Maitreya

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader.



ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to cancel the patta issued in Patta Nos.816 & 7999 and consequently issue joint patta in the name of the legal heirs of Anumaiya Gowdu in respect of the properties comprised in S.Nos.368, 369/B2, 369/2B, 374/6, 412/1, 412/2, 413/6, 434, 435, 439/2, 461/4 and 487 situated at Ballapalli Village, Denkanikottai Taluk, Krishnagiri District by considering the representation of the petitioner dated 14.07.2021.

2. Heard, Mr.R.S.Maitreya, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

3. The petitioner challenged the patta issued in favour of other persons in respect of the property comprised in S.Nos.368, 369/B2, 369/2B, 374/6, 412/1, 412/2, 413/6, 434, 435, 439/2, 461/4 and 487 situated at Ballapalli Village, Denkanikottai Taluk, Krishnagiri District before the second respondent. On receipt of the same, it has been kept pending on the file of the second respondent without conducting any enquiry. Against the issuance of patta, the petitioner ought to have submitted an application before the third respondent under Section 12 of the Patta Pass Book Act.

4. Considering the above, the petitioner is directed to make a fresh appeal before the third respondent challenging the patta issued in favour of the other parties concerned within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to issue notice to the petitioner and the counter parties and conduct enquiry, after giving them an opportunity of hearing, and pass orders on merits and in accordance with law within a period of sixteen weeks thereafter.

5. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Lpp



To

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

3.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

4.The Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.

+lcc to Mr.R.Jayaprakash, Advocate SR. No.60870

+lcc to the Government Pleader SR. No.61503

W.P.No.25094 of 2021

AJS (CO)
PR (23/12/2021)