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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP.NO.26430 OF 2021

A.Fyaz Ahmed

... Petitioner

Vs

1. The District Collector,
Chengalpet
2. The Revenue Divisional Officer,
Tambaram
3. The Tahsildar,
Tahsildar Office,
Vandalur
4. The Deputy Tahsildar,
Vandalur

... Respondents

Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to forthwith transfer patta in favour of the petitioner for the lands of an extent of 2.02.5 hectares in survey No.165/2B of Thalambur Village, Chengalpet District

For Petitioner	:	M/s.AL.Ganthimathi
For Respondents	:	Mr.V.Jeevagiridharan, Additional Government Pleader

ORDER

This writ petition is filed for direction directing the respondents herein to forthwith transfer patta in favour of the petitioner for the lands of an extent of 2.02.5 hectares in



survey No.165/2B of Thalambur Village, Chengalpet District.

2. Heard, M/s.AL.Ganthimathi, the learned counsel for the petitioner, and Mr.V.Jeevagiridharan, Additional Government Pleader appearing for the respondents.

3. The property comprised in survey No.165/2 admeasuring 5 acres situated at Thalambur Village, Chengalpet was originally assigned in favour of one, Ramalingam by proceedings of the fourth respondent herein dated 07.06.1966. It was classified as 'dry assessed waste' and assigned to 36 political sufferers subject to the conditions stipulated on D form patta. It was sold out in favour of one, Elumalai Chettiar by the registered sale deed dated 26.05.1975 registered vide document No.2551 of 1975. Subsequently, the said property was sold out to one, Dhanraj N.Kochar by way of registered sale deed vide document No.602 of 1992. In turn, he sold out the said land in favour of Syed Abdul Cader by the registered sale deed dated 29.12.1995. He died leaving behind his sons and daughters as legal representatives and they are in possession and enjoyment of the said property. The petitioner is one of the son and came to understand that the said property was subdivided as survey No.165/2A and 165/2B to an extent of 2.02.5 hectares in survey No.165/2 has been classified as Anadheenam Punjai. Therefore, the petitioner made representation to issue patta in his favour. The second respondent made inspection and the fourth respondent had submitted a report stating that the said land has been purchased by the sale deed and later patta was attempted to be transferred in favour of third party.

4. Therefore, the petitioner also filed suit in OS.No.216 of 2017 on the file of the District Munsif Court, Chengalpet. It was decreed in his favour. Thereafter, the said lands are classified as Government Poramboke and Anadheenam Punjai and as such the petitioner made representation to transfer patta in his name. The second respondent conducted enquiry and by proceedings dated 24.02.2021, recommended to transfer the patta in favour of the petitioner and also observed that Adangal extract stands in the name of the petitioner in respect of the subject land.

5. Considering the above, the third respondent is directed to pass orders in pursuant to the recommendation of the second respondent dated 24.02.2021 with regards to transfer of patta in respect of the land comprised in survey No.165/2B of Thalambur Village, Chengalpet District to an extent of 2.02.5 hectares in favour of the petitioner within a period of four weeks from the



date of receipt of copy of this order.

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

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Chengalpet
2. The Revenue Divisional Officer,
Tambaram
3. The Tahsildar,
Tahsildar Office,
Vandalur
4. The Deputy Tahsildar,
Vandalur.

+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.65632
+1cc to the Government Pleader, S.R.No.66227

WP.No.26430 of 2021

NRL (CO)
PM/29/12/2021