



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2956 of 2022

- 1.Arumainathan
- 2.Veeraraghavan
- 3.Banu
- 4.Gunapooshanam
- 5.Chandra
- 6.Thulasingham
- 7.Bhuvaneshwari
- 8.Sasikala
- 9.Thirunavukarasu
- 10.Maheswari
- 11.Jayalakshmi
- 12.Manikammal

13.Parvathi

... Petitioners

Petitioners 1 to 13 are represented by their Power of Attorney Holder P.Suresh

Vs.

1. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.
2. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.
3. The Tahsildar,
Vandalur Taluk,
Chengalpattu District.
4. The Zonal Deputy Tahsildar,
Vandalur Taluk,
Chengalpattu District.



5. Rathinam

6. Nagappan

7. Balan

8. Dhatchanamoorthy

9. N.Dhandapani

10. Joshva

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to cancel the Patta Nos. 212, 340, 510, 3945 and 3981 issued in the name of the respondents 5 to 10 in respect of the property comprised in S.Nos. 291/1, 291/2, 291/3, 291/4, 291/5, 291/6, 291/7 and 291/8 of an extent of 1.46 Cents situated at No.1, Mannivakkam Village, Vandalur Taluk, Chengalpattu District and consequently direct the 3rd respondent to issue joint patta in the name of the petitioners herein by considering the petitioner's representation dated 07.11.2020 and 10.01.2022.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.T.Chezhiyan

Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 1st respondent to cancel Patta Nos. 212, 340, 510, 3945 and 3981 issued in the name of the respondents 5 to 10 in respect of the properties comprised in S.Nos. 291/1, 291/2, 291/3, 291/4, 291/5, 291/6, 291/7 and 291/8 of an extent of 1.46 Cents situated at No.1, Mannivakkam Village, Vandalur Taluk, Chengalpattu District and consequently direct the 3rd respondent to issue joint Patta in the name of the petitioners herein, by considering the petitioner's representations dated 07.11.2020 and 10.01.2022.

2. Since no adverse order is being passed against the private respondents 5 to 10, notice to the private respondents 5 to 10 are dispensed with.

3. The case of the petitioner is that originally, the above said property belonged to one Late Mr.A.Ekambaram. The said A.Ekambaram had executed a registered Sale Deed dated 09.10.1956 in favour of his wife, namely E.Santhiyammal.



Subsequently, the said E.Santhiyammal executed a registered Settlement Deed dated 02.02.1965 in favour of her four daughters. After the demise of the said E.Santhiyammal, her four daughters and their legal heirs took possession of the properties and were in enjoyment of the same. Thereafter, the petitioners have executed a registered General Power of Attorney Deed in favour of one Mr.P.Suresh dated 03.12.2019, to maintain the said property in good condition. Such being the case, the said Mr.P.Suresh intended to develop the said properties, and he came to know that the aforesaid properties were subdivided and Patta has been wrongly issued in favour of the respondents 5 to 10, who have no right, title or interest over the said properties. Therefore, the said Power Agent of the petitioners made a representation dated 07.11.2020 before the official respondents 1 to 4 to cancel the Patta, which was wrongly issued to the respondents 5 to 10. Further, the Power Agent made a detailed representation dated 10.01.2022 before the 1st respondent, to cancel the Patta. However, till date, no order has been passed. Hence, the present Writ Petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representations dated 07.11.2020 and 10.01.2022 and pass orders on the same, within a particular time frame that may be fixed by this Court.

5. Mr.T.Chezhiyan, learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed.

6. In view of the aforesaid submissions, without expressing any opinion on the merits of the case, this Court directs the 3rd respondent to consider the petitioners representations dated 07.11.2020 and 10.01.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing opportunity of hearing to the petitioner and aggrieved person, if any.

7. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar



jd/nhs

To

1. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.
2. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.
3. The Tahsildar,
Vandalur Taluk,
Chengalpattu District.
4. The Zonal Deputy Tahsildar,
Vandalur Taluk,
Chengalpattu District.

+lcc to Mr.R.Jayaprakash, Advocate SR.No.10949
+lcc to the Government Pleader SR.No.11578

W.P.No.2956 of 2022

GPL(CO)
GN(28/03/2022)