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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.17345 OF 2015

AND

M.P.NOS.1 & 2 OF 2015

Kanniyammal

... Petitioner

.Vs.

1. The Tahsildar,  
Arakkonam Taluk,  
Vellore District.
2. The Special Tahsildar,  
(Natham Land Tax Scheme),  
Arakkonam Taluk,  
Vellore District.
3. The Zonal Deputy Tahsildhar,  
Arakkonam Taluk,  
Arakkonam, Vellore District.
4. K.Thenmozhi,  
W/o.Kumar,  
Residing at Vadamambakkam Village,  
Arakkonam Taluk,  
Vellore District.

... Respondents

PRAYER:-

Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to Natham Manaivari Patta No.369 issued by the 2<sup>nd</sup> respondent in the name of 4<sup>th</sup> respondent and quash the same directing the respondent to issue patta to the petitioner.

For Petitioner : Mr.K.Venkatesan  
For Mrs.R.T.S.Sundari



For Respondents : Mr.T.K.Saravanan  
Government Advocate  
For R1 to R3

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O R D E R

The subject of challenge in this writ petition pertains to the patta granted in favour of the 4<sup>th</sup> respondent by the 2<sup>nd</sup> respondent.

2. The case of the petitioner is that she is the owner of the subject property. She executed a settlement deed in favour of her grand children through a registered settlement deed dated 14.12.2007. It seems that the 4<sup>th</sup> respondent acted upon this settlement deed and made an application before the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent issued a patta in favour of the 4<sup>th</sup> respondent. Subsequently, the settlement deed was canceled by the petitioner through a cancellation deed dated 20.04.2015, registered as document No.2182 of 2015 on the file of the Sub Registrar, Arakonam.

3. The grievance of the petitioner is that she continues to be the owner of the subject property by virtue of the cancellation deed executed by her and she is aggrieved by the issuance of patta in favour of the 4<sup>th</sup> respondent and the same has been put to challenge in this writ petition.

4. Heard Mr.K.Venkatesan, learned counsel for the petitioner and Mr.T.K.Saravanan, learned counsel for the respondents.

5. This Court is not willing to go into the merits of the case. It will suffice if an opportunity is given to the parties to agitate the issue before the Tahsildhar by permitting the petitioner make a representation to the 1<sup>st</sup> respondent.

6. In view of the above, this writ petition is disposed of by giving liberty to the petitioner to make a fresh representation to the 1<sup>st</sup> respondent and the 1<sup>st</sup> respondent on receipt of the same, shall call the petitioner, the 4<sup>th</sup> respondent and one S.Kumar for enquiry and shall pass orders strictly in accordance with law within a period of twelve weeks from the date of receipt of the representation from the



petitioner. Consequently, the connected miscellaneous petitions are closed.

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Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rka

To

1. The Tahsildar,  
Arakkonam Taluk,  
Vellore District.
2. The Special Tahsildar,  
(Natham Land Tax Scheme),  
Arakkonam Taluk,  
Vellore District.
3. The Zonal Deputy Tahsildar,  
Arakkonam Taluk,  
Arakkonam, Vellore District.

+1cc to the Government Pleader, S.R.No.33063

W.P.NO.17345 OF 2015 AND  
M.P.NOS.1 & 2 OF 2015

SR(CO)  
PBS/22/06/2022