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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.7522 of 2022

Ramachandiran

...Petitioner

Vs.

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. The District Revenue Officer,
O/o, The District Revenue Office,
Chengalpattu District,
Chengalpattu.
3. The Revenue Divisional Officer,
O/o, the Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.
4. The Tahsildar,
Thiruporur Tahsildar Office,
Thiruporur,
Chengalpattu District.
5. The Managing Trustee,
Rajeswari Educational and Charitable Trust,
No.21, 2nd East Main Road,
Gandhi Nagar,
Katpadi Taluk, Vellore District.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to dispose of the petitioner representation dated 09.03.2019 and cancel the Patta No.2434 granted in favors' of fifth respondent in respect of the survey no.696/1 admeasuring to the extent of 1 acre 25 cent situated in Kaayar Village, Thiruporur Taluk, Chengalpattu district in accordance with the Tamil Nadu Patta Pass Book Act, within the time frame that may be fixed by this Hon'ble Court.



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For Petitioner : Mr.S.Tamizh Selvan

For Respondents R1 to R4: Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the third respondent to dispose of the petitioner representation dated 09.03.2019 and cancel the Patta No.2434 granted in favours' of fifth respondent in respect of the survey no.696/1 admeasuring to the extent of 1 acre 25 cents situated in Kaayar Village, Thiruporur Taluk, Chengalpattu district in accordance with the Tamil Nadu Patta Pass Book Act, within the time frame that may be fixed by this Hon'ble Court.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents 1 to 4. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal. No adverse order is passed against the fifth respondent and hence, his presence is dispensed with.

3. The case of the petitioner is that the petitioner's grand father purchased the land in Survey No.696/1, ad-measuring 1 acre 5 cents, in the year 1927. In the year 1995, the petitioner's land was transferred to one Kavitharani. Aggrieved by the same, the petitioner's mother filed a suit in O.S.No.66 of 2002 and the same was decreed in her favour. In contrary, another sale deed was executed in favour of the fifth respondent. Thereafter, the revenue authorities transferred the patta in favour of the fifth respondent. Hence, the petitioner made a representation dated 09.03.2019 to the respondents, to cancel the patta issued in favour of the fifth respondent. Thereafter, it was transferred to the third respondent for taking further action. However, till date no action has been taken on the representation dated 09.03.2019.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondent to consider the representation of the petitioner dated 09.03.2019 and may pass appropriate orders within the stipulated time as fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents 1 to 4, would submit that the representation made by the petitioner will be considered and appropriate orders



will be passed on merits within the time frame to be fixed by this court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the third respondent to forward the copy of the representation which was forwarded by the second respondent on 05.06.2019 to the fourth respondent, to enable the fourth respondent to pass appropriate order, after giving an opportunity of hearing to the petitioner and the fifth respondent, on merits and in accordance with law, within a period of twelve weeks thereafter.

7. With the above directions, this writ petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. The District Revenue Officer,
O/o, The District Revenue Office,
Chengalpattu District,
Chengalpattu.
3. The Revenue Divisional Officer,
O/o, the Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.
4. The Tahsildar,
Thiruporur Tahsildar Office,
Thiruporur,
Chengalpattu District.



+1 CC to Mr.A. Venkatesan, Advocate sr 21838
+1 CC to The Government Pleader sr 22707.

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GPL (CO)
SP (13/04/2022)