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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.7210 OF 2022
W.M.P.NOS.7235 & 7236 OF 2022

Kalyani Thiruvengadam

... Petitioner

.Vs.

1. The Revenue Divisional Officer,
Egmore Division,
Egmore Taluk Office,
Chennai - 600 031.
2. The Tahsildar,
Mylapore Triplicane Taluk,
No.28, Pasumpon Muthuramalingam Road,
Raja Annamalai Puram,
Chennai - 600 028.
3. The Tahsildar,
Velacherry Taluk,
No.113, VV Koil Street,
Institute of Road Transport,
Training Centre Complex,
Tharamani,
Chennai - 600 113.
4. M/s.A.K.S.Housing Development
Company Pvt. Ltd.,
Represented by its Managing Director
Mr.Anand Seshadri,
No.11/3A, Dr.Narasiman Road,
T.Nagar, Chennai - 600 017.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to cancel Patta bearing CA No.1408/2009 issued vide Proceedings in TR/1587/2009 - 10 dated 14.12.2009, by the second respondent in the name of M/s.A.K.S.Housing Development Company Private



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Ltd., the fourth respondent with respect to the land property situated at Chennai District, Velacherry Taluk, Thiruvanniyur village in S.No.88/10A.

For Petitioner : M/s.S.Vasanthi

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the first respondent to cancel Patta bearing CA No.1408/2009 issued vide Proceedings in TR/1587/2009 - 10 dated 14.12.2009, by the second respondent in the name of M/s.A.K.S.Housing Development Company Private Ltd., the fourth respondent with respect to the land property situated at Chennai District, Velacherry Taluk, Thiruvanniyur village in S.No.88/10A.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents 1 to 3. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property comprised in S.No.88/10A, measuring 1.73 cents, situated at Thiruvanniyur Village. Nemmelli Madura Perur village. The petitioner had executed a Sale Deed dated 24.12.2008, in Doc.No.7842 of 2008 on the file of SRO-Joint-I, Saidapet in favour of the fourth respondent. However, the fourth respondent has not paid the entire sale consideration to the petitioner, for which the document presented for registration was impounded by the Stamp/Registration Authorities and the said issue was pending before the Revenue Authorities. However, the fourth respondent had obtained the Patta in his name from the third respondent in the year 2009, for which the petitioner made a representation dated 26.02.2018, before the respondents to cancel the Patta which stands in the name of fourth respondent and to issue fresh Patta in favour of the petitioner. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the third respondent to consider the petitioner's representation dated 26.02.2018 within the time frame that may be fixed by this Court.



5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 26.02.2018 will be considered by third respondent within the time frame that may be fixed by this Court.

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6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the third respondent to consider the petitioner's representation dated 26.02.2018, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to the aggrieved persons.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tri/nhs

To

1. The Revenue Divisional Officer,
Egmore Division,
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Chennai - 600 028.
3. The Tahsildar,
Velacherry Taluk,
No.113, VV Koil Street, Institute of Road Transport,
Training Centre Complex,
Tharamani, Chennai - 600 113.

+2ccs to M/s.S.Vasanthi, Advocate, S.R.No.20767
+1cc to the Special Government Pleader, S.R.No.21815

W.P.NO.7210 OF 2022
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SKM(CO)
PBS/21/04/2022