



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.8500 of 2022

K.Chandrasekaran

... Petitioner

Vs.

1. The District Collector,
Chengalpattu District.

2. The Revenue Divisional Officer,
Revenue Division, Chengalpet,
Chengalpattu District.

3. The Tahsildar,
Taluk Office, Thiruporur,
Chengalpattu District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to be conducted an enquiry contemplate under the Patta Pass Book Act, on the representation of the petitioner dated 10.12.2019 and given affordable opportunity to the petitioner.

For Petitioner : Mr.A.S.Mujibur Rahman
For Respondents : Mr.R.P.Murugan Raja
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the second respondent to conduct an enquiry contemplate under the Patta Pass Book Act, on the representation of the petitioner dated 10.12.2019 and give affordable opportunity to the petitioner.

2. The case of the petitioner is that the petitioner is the owner of the property comprised in Survey No.723/5, measuring 1 acre and 22 cents lands is the ancestral property of the petitioner. The joint Patta was issued in the name of the petitioner's father Late Krishnan and his brothers. After the demise of the petitioner's father, his brother and petitioner's mother had executed a Deed through the Power of Attorney in favour of one Sai Venugopal on 31.03.2006. The said Sai Venugopal had not properly analysed and obtained power of attorney from few legal heirs of the Late Mr.Krishnan and executed a sale deed in favour of third parties and



subsequently the Patta was transferred to third parties namely Rajeswari Educational Charitable Trust. Therefore, the petitioner has made representation dated 10.12.2019 before the 3rd respondent, seeking to cancel the patta stands in the name of Rajeswari Educational Charitable Trust and requested to conduct an enquiry contemplated under the Patta Pass Book Act. Thereafter, the third respondent had issued several notice on various dates to conduct enquiry and the second respondent also issued notice to the petitioner on 10.01.2021 for enquiry. However, till date, the second respondent has not conducted the enquiry. Hence, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that it would suffice, if this Court, issues direction to the second respondent to conduct an enquiry on considering the petitioner's representation dated 10.12.2019 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case directs the second respondent to conclude the enquiry notice dated 10.01.2021 after issuing notice to the aggrieved persons 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.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

jd/sp
To

1. The District Collector,
Chengalpattu District.
 2. The Revenue Divisional Officer,
Revenue Division, Chengalpet,
Chengalpattu District.
 3. The Tahsildar,
Taluk Office, Thiruporur,
Chengalpattu District.
- +1 cc to Mr.A.S.Mujibur Rahman, Advocate Sr.NO. 23891
+1 cc to Government Pleader Sr.NO. 24310

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ssv (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
A.SK(27/04/2022)