



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.8543 of 2022

V.Jayaraman

... Petitioner

Vs.

- 1.The District Collector,
Chengalpet District.
- 2.The District Revenue Officer,
Chengalpet, Chengalpet District.
- 3.Revenue Divisional Officer,
Chengalpet, Chengalpet District.
- 4.Tahsildar,
Thirukazhukundram Taluk,
Chengalpet District.
- 5.S.Roopavadhi
- 6.D.Buveneswari
- 7.N.Bakthavachalam
- 8.N.Madhanagopal
- 9.Mohan
- 10.Sobanbabu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to dispose-off the petitioner's representation dated 05.01.2022 pending with him and to take appropriate action for cancellation of Patta issued in favour of Narayanasamy Naidu, S/o.Appa Naidu (Father of 5th to 10th respondent herein) in Patta No.1876, in respect of the petitioner's vacant land to an extent of 21 cents, situated at Kanchepuram, Chengalpet District, Thirukazhukundram Taluk, Vittilapuram Village, Old Patta No.648, in Survey No.403/4A and consequently issue separate patta in favour of the petitioner based on the concerned Village accounts and documents within a period fixed by this Court.



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For Petitioner : Mr.E.Balamurugan

For R1 to R4 : Mr.M.Murali
Government Advocate

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus to direct the 3rd respondent to dispose-off the petitioner's representation dated 05.01.2022 pending with him and to take appropriate action for cancellation of Patta issued in favour of Narayanasamy Naidu, S/o.Appa Naidu (Father of 5th to 10th respondent herein) in Patta No.1876, in respect of the petitioner's vacant land to an extent of 21 cents, situated at Kanchepuram, Chengalpet District, Thirukazhukundram Taluk, Vittilapuram Village, Old Patta No.648, in Survey No.403/4A and consequently issue separate patta in favour of the petitioner based on the concerned Village accounts and documents within a period fixed by this Court.

2. The case of the petitioner is that the petitioner and three others, namely Narayanasamy Naidu, Jambulinga Mudaliar and Srinivasa Chettiyar, are the owners of the above said property situated in Survey No.403/4A, for which, a joint patta was issued in favour of the above said persons in Patta No.648. However, the 9th and 10th respondents obtained a patta in favour of one Selvarani, who is the wife of the said Narayansamy Naidu and thereafter, the said property was settled by Selvarani in favour of the 9th and 10th respondent. After knowing the same, one of the legal heirs of Narayansamy Naidu, namely D.Buvaneswari, who is the 6th respondent herein has made a complaint before the 4th respondent for issuance of patta in favour of all the legal heirs of Narayansamy Naidu. Based on which, the earlier patta issued has been cancelled by the 4th respondent by order dated 25.07.2021 and the patta has been restored in the name of Narayansamy Naidu. Challenging the said order, the petitioner has preferred an appeal before the 3rd respondent on 05.01.2022, but, till date, the 3rd respondent has not passed any orders. Hence, the present writ petition has been filed.

3. Mr.E.Balamurugan, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 3rd respondent to consider the appeal filed by the petitioner dated 05.01.2022 and pass appropriate orders on the same within a stipulated time that may be fixed by this Court.



4. Mr.M.Murali, learned Government Advocate appearing for the respondents 1 to 4 submits that he 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 3rd respondent to consider the petitioner's representation dated 05.01.2020 after providing opportunity to the petitioner and other aggrieved parties 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-IX)

// True Copy //

Sub Assistant Registrar

sp/jd

To

- 1.The District Collector,
Chengalpet District.
- 2.The District Revenue Officer,
Chengalpet, Chengalpet District.
- 3.Revenue Divisional Officer,
Chengalpet, Chengalpet District.
- 4.The Tahsildar,
Thirukazhukundram Taluk,
Chengalpet District.

+1cc to the Government Pleader, SR.No.24588

W.P.No.8543 of 2022

AJS (CO)
CB(25/04/2022)