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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.10480 of 2022

M/s.Sri Krishna Trust,
Represented by its Managing Trustee,
Mr.C.Ramanujan,
No.14, Khazhipathur,
3/176, Samathuva Nagar Main Road,
Padur Post,
Kancheepuram 603 103.

... Petitioner

Vs.

1. The District Collector,
Collectorate,
GST Road,
Chengalpattu-603 001.
2. The District Revenue Officer,
Chengalpattu-603 001.
3. The Revenue Divisional Officer,
Chengalpattu-603 001.
4. The Tahsildar,
Thiruporur Taluk Office,
Chengalpattu-603 001.
5. The District Registrar,
Chengalpattu-603 002.
6. The Sub Registrar,
Thiruporur Taluk,
Chengalpattu - 603 002.
7. The Inspector General of Registration,
The Inspector General of Registration Office,
Santhome High Road,
Chennai-600 028.

8.Geetha Devi Balakrishnan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to consider the representation



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dated 06.01.2020 of the petitioner for the rectification of the patta No.418 on the file of the fourth respondent and to reflect the name of the petitioner with immediate effect.

For Petitioner : M/S.S.V.Pravin Rathinam

For R1 to R7 : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to consider the representation dated 06.01.2020 made by the petitioner for rectification of Patta No.418 on the file of the fourth respondent and to reflect the name of the petitioner with immediate effect.

2. The case of the petitioner/Trust is that it is a Non-Governmental Organisation, established for the purpose of helping children with specific learning difficulties. The petitioner-Trust had purchased a land ad-measuring an extent of 2.06 hectares comprised in S.Nos.9/1A, 9/2 and 9/3A, situated at Kazhipathoor Village, Chengalpattu Taluk, Kanchipuram, through registered sale deed, on the file of the Sub-Registrar Office, Thiruporur. The aforesaid land was purchased for establishment of M/s Alpha to Omega, a Learning Centre with more than 30 years of experience and the said Learning Centre uses research-based techniques and instructional programmes to build and strengthen cognitive skills in children. Subsequent to the purchase of the aforesaid property, the fourth respondent had issued Patta in the name of the petitioner/Trust, vide Patta No.418, dated 06.01.2009. While so, in the year 2016, during the process of renewing the building license for the said Learning Centre, the petitioner came to know that the said Patta No.418 had been changed in the name of one Balakrishnan. It is pertinent to note that all the Revenue documents including the Encumbrance Certificate, reflect the ownership of the petitioner and pursuant to which, the petitioner made a representation dated 23.01.2017 before the Office of the Tahsildar, Thiruporur Taluk, Kanchipuram, requesting for rectification of the said Patta No.418. In month of June 2017, the said Office of the Tahsildar, issued Notice for Enquiry No.456/2017 to the petitioner/Trust. On 04.07.2017, the petitioner's attended the enquiry and produced all the original documents reflecting his ownership on the property in question and was informed that they will be notified with the results after the enquiry is conducted with the said Balakrishnan. Further, the petitioner made several visits to the said Office of the Tahsildar for rectification of the aforesaid Patta Number. Despite the same, the said Office of



the Tahsildar failed to initiate any effective action on the same. Therefore, the petitioner made a representation dated 06.01.2020 before the first respondent, requesting for rectification of the said Patta No.418 with immediate effect. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. Since no adverse order is being passed against the private respondent/eighth respondent, notice to the private respondent is dispensed with.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent to consider the petitioner's representation dated 06.01.2020 and pass orders on the same, within a particular time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for respondents 1 to 7 has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the fourth respondent/Tahsildar to consider the petitioner's representation dated 06.01.2020 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.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The District Collector,
Collectorate,
GST Road, Chengalpattu-603 001.
2. The District Revenue Officer,
Chengalpattu-603 001.



3. The Revenue Divisional Officer,
Chengalpattu-603 001.

4. The Tahsildar,
Tiruporur Taluk Office,
Chengalpattu-603 001.

5. The District Registrar,
Chengalpattu-603 002.

6. The Sub Registrar,
Thiruporur Taluk,
Chengalpattu - 603 002.

7. The Inspector General of Registration,
The Inspector General of Registration Office,
Santhome High Road,
Chennai-600 028.

+1cc to M/S.S.V.Pravin Rathinam , Advocate, S.R.No.30993

+1cc to the Government Pleader, S.R.No.31050

W.P. No.10480 of 2022

SPD(CO)
CT 02/06/2022