



W.P.No.1376 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 22.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.1376 of 2018

D.Gopalakrishnan

...Petitioner

Vs.

1.The State of Tamil Nadu

Represented by Secretary to Government – Revenue Department
Fort St.George Fort,
Chennai – 600 009.

2.The District Collector,
Collector office complex,
Kanchipuram – 631 501.

3.The District Revenue Officer,
Collector Office Complex,
Kanchipuram – 631501.

4.Revenue Divisional Officer,
Chengalpattu Taluk Office,
VOC Nagar,
Chengalpattu – 603001.

5.The Tahsildar,
Chengalpattu Taluk office,
VOC Nagar,
Chengalpattu – 603001



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6.The Revenue Inspector,
Nandhivaram,
Guduvancheri
Behind Bus stand
Nandhivaram – 603 202.

7.Village Administrative Officer,
Nandhivaram,
Guduvancheri,
Behind Bus stand,
Nandhivaram 603 202.

8.V.Kuppabai

... Respondents

Prayer:-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 5th respondent herein to consider the representation of the petitioner dated 03.04.2017 to modify the entries in the new Patta No.233 and old Patta No.311 for the property situated at Nandivaram Village, Chengalpattu Taluk, Kanchipuram District, admeasuring about 4 Acres 80 cents.

For Petitioner	: Mr.M.Rajasekaran
For R1 to R7	: Mr.P.Sathish Additional Government Pleader
For R8	: M/s.Vasudha Thiagarajan

ORDER



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This writ petition has been filed directing the 5th respondent herein to consider the representation of the petitioner dated 03.04.2017 to modify the entries in the new Patta No.233 and old Patta No.311 for the property situated at Nandivaram Village, Chengalpattu Taluk, Kanchipuram District, admeasuring about 4 Acres 80 cents.

2.The case of the petitioner is that, originally the property was owned by petitioner's grand father namely, C.Adikesavalu Naidu, which is situated at Nandivaram Village, Chengalpattu Taluk, Kanchipuram District, measuring about 4 Acres 80 cents in survey No.48/2. The petitioner's grandfather executed the sale deed of the said property in favour of his son-in-law namely Ramaswamy Naidu and Kupuswamy Naidu, since, the petitioner's father namely Devarajalu Naidu is minor at the time of execution of sale deed. On 09.01.1940, the petitioner's grandfather was died and after the demise of the petitioner's grandfather, Ramaswamy Naidu and Kupusamy Naidu were illegally grabed all the property and executed sale deed to the third parties. Thereafter, patta bearing old patta No.311 and new patta No.233 was illegally transferred to Vengataswami Naidu and finally in



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favour of one Kuppamal, who is the wife of Vengataswami Naidu, the 8th respondent herein. Therefore, the petitioner made a representation dated 03.04.2017 to the second respondent and the same was not considered. However, no order was passed. Hence, the present Writ Petition is filed.

3. Though very many grounds have been raised, the learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the 5th respondent to consider the petitioner's representation dated 03.04.2017 and pass appropriate orders within a stipulated time as fixed by this Court.

4. The learned counsel appearing for the 8th respondent submitted that already 8th respondent has filed a suit in O.S. No.291/1999 against the petitioner and other legal heirs, on the file of District Munsif Court, Chengalpet and the said suit was decreed. Against which the petitioner has preferred the appeal in A.S.No.48 of 2008 and the said appeal was allowed on 26.04.2010 and against which, the 8th respondent has preferred Second Appeal before this Court in S.A.No.1553 of 2010 and the same was allowed



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on 20.03.2018 and finally, the 8th respondent has filed an execution petition before this Court.

5. Considering the subsequent change of circumstances, this Court is of the view that there is nothing survives for further adjudication in this Writ Petition. Hence, this Writ Petition is dismissed. No costs.

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Index : Yes/No

Speaking order : Yes/No

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