



W.P.No.31410 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.31410 of 2014

and

W.M.P.No.1 of 2014

E.P.Bakthavatchala

. . . Petitioner

Vs.

1. The Revenue Divisional Officer,
Ambattur,
Thiruvallur District.

2. The Tahsildar,
Ambattur Taluk,
Thiruvallur District.

3. Dhananjeyan

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction in the nature of Writ directing the 1st Respondent to pass appropriate orders on the appeal submitted by the Petitioner dated



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23.09.2014 and consequently restore the patta in the name of the petitioner in respect of the land in S.Nos.429/27B and 429/33B to an extent of 39.50 ares and 17.00 ares respectively Morai Village, Ambattur Taluk, Tiruvallur District covered by Patta No.5950 in the name of the petitioner.

For Petitioner : M/s.S.Nedunchezhiyan

For Respondents : Mr.R.Vigneswaran,

Government Advocate for R1 & R2

: M/s.M.Muthappan for R3

ORDER

The present petition has been filed seeking a direction to the 1st Respondent to pass appropriate orders on the appeal submitted by the Petitioner dated 23.09.2014 and consequently restore the patta in the name of the petitioner in respect of the subject property of this Writ Petition.

2. It is the case of the petitioner that the subject property originally belongs to one late Krishtama Naidu. During his lifetime, said property was shared among the legal heirs of Krishtama Naidu. The petitioner's father being one of the legal heirs of Krishtama Naidu had transferred his share of



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the subject property in favour of the petitioner vide the sale deed dated 27.02.1942 and patta was also granted in favour of the petitioner. Against the issuance of patta in favour of the petitioner, legal heirs of one Ramagovindan and Rajaraman have executed Power of Attorney in favour of the 3rd respondent, due to which, in respect of certain portion of the subject property including the petitioner's share of the property, appeal was filed before the 1st respondent/Revenue Divisional Officer, pursuant to the said appeal, patta granted in favour of the petitioner was cancelled by the 2nd respondent, against which, the petitioner preferred an Appeal before the 1st Respondent on 23.09.2014. However, without considering the same, the Revenue Authorities are taking steps to mutate the revenue records in respect of the disputed portion of the subject property. Hence, the petitioner has come up with the present petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the 1st respondent to consider and pass appropriate orders on the appeal filed by the petitioner in accordance with law, within the time that may be stipulated



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by this Court.

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4. On the above contentions, this Court, heard the learned Government Advocate.

5. In view of the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case directs the 1st respondent/Revenue Divisional Officer to consider and pass appropriate orders on the Appeal dated 23.09.2014 filed by the petitioner in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

16.08.2022

NHS

Index : Yes / No

Internet : Yes / No

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To

1. The Revenue Divisional Officer,
Ambattur,
Thiruvallur District.
2. The Tahsildar,
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M.DHANDAPANI, J.

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