



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.44546 of 2016

N. Narayana Reddy

..... Petitioner

Vs.

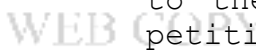
1. The District Collector,
Collectorate,
Krishnagiri District,
Krishnagiri.
2. The Sub-Collector,
Sub-Collector Office,
Hosur,
Krishnagiri District.
3. The Tahsildar,
Taluk Office,
Hosur Taluk,
Krishnagiri District.
4. Raman,
5. K. Manoharan.

.....Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or direction or order, more in the nature of a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner and accordingly remove the name of the fourth and fifth respondents from the patta for survey No.834/1 and 834/2 of S.Mudhganapalli village and Taraff, Hosur Taluk within the time frame to be fixed by this Hon'ble Court.

For Petitioner : M/s.Dakshayani Redddy

For Respondents : Mr. Yogesh Kannadasan,
Special Government Pleader
for R1 to R3.
: M/s. K. Venkatesan for R5



ORDER

The present petition has been filed seeking a direction to the Respondent to consider the representation made by the petitioner for removing the names of the respondents 4 & 5 from the patta in respect of the subject property, within the time that may be stipulated by this Court.

2. It is the case of the petitioner that he is the absolute owner of the property comprised in survey No.834 & 834/2, and the said property is the ancestral property and there were a series of suits and appeal suits in between the petitioner and the family members in respect of the said property, before the competent Civil court, which were disposed of. While being so, when the petitioner sought for a copy of the Patta in respect of the subject property, he came to know that the names of respondents 4 & 5 have been illegally included in the patta. In order to remove the names of respondents 4 & 5 from the Patta, the petitioner made a representation dated 08.09.2016 to the respondents herein. However, till date, the same has not been considered. Hence, the present petition has been filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the Respondents to consider the representation dated 08.09.2016 made by the petitioner and dispose of the same on merits and in accordance with law, within the time that may be stipulated by this Court.

4. On the above contention, heard the learned Special Government Pleader appearing for Respondents 1 to 3.

5. Learned counsel appearing for the 5th Respondent reiterated the averments made in the Counter affidavit and submitted that the entire property comprised in survey No. 834/2 belongs to the 4th Respondent and the said property was sold to the 5th respondent by way of a registered sale deed for valuable consideration, however, the revenue records in respect of the said property stands in the name of the 4th Respondent. While being so, the petitioner claiming right over the said property is not sustainable.

6. In view of the fact that, the sale of the subject property being a disputed question, upon which the revenue record needs to be corrected, this Court permits the petitioner to file appropriate application before the 3rd Respondent/Tahsildar within a period of two weeks from the date of receipt of a copy of this order. If any such such application is filed, the 3rd Respondent is directed to consider



and pass appropriate orders on the same in accordance with law after affording an opportunity of personal hearing to the petitioner as well as the private respondents and also to the aggrieved parties if any, within a period of twelve weeks thereafter.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

-s/d-
Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

NHS
To

1. The District Collector,
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Krishnagiri District.
3. The Tahsildar,
Taluk Office,
Hosur Taluk,
Krishnagiri District.

+lcc to Mr.Dakshayani Reddy, Advocate Sr.36746
+lcc to the Government pleader Sr.37408

W.P.No.44546 of 2016

gpl[co]
srg 08/07/2022