



WEB COPY



W.P. No.27363 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 27363 of 2022
and
WMP. No.26563 of 2022

Madhavi Aridas

... Petitioner

Vs.

- 1 The District collector,
Chennai District, Singaravellar Maaligai,
Rajaji Salai, Chennai-01.
- 2 The Revenue Divisional Officer,
Chennai South Division, Anna Salai,
Guindy, Chennai-32.
- 3 The Tahsildar,
Sholinganallur Taluk,
No.1 First Cross Street,
New Kumaran Nagar, Sholinganallur,
Chennai-119.
- 4 The Village Administrative Officer,
sholinganallur-1, Nedunchezian Street,
Opp. Aavin Singal Police Booth,
Rajiv Gandhi Salai,
Sholinganallur, Chennai-119.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to conduct



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the enquiry on the petitioners representation/complainant dated 26.8.2022 and cancel the patta if any issued in any other persons name and consequently, direct them to issue updated patta in favour of the petitioner herein pertaining to the land situated at Kumaraswamy Nagar Layout No.155 Sholinganallur Village more fully described in the Schedule hereunder.

For Petitioner : Mr. J.Satheesh

For Respondents : Mr.U.Bharanidharan, AGP

ORDER

The writ petition has been filed seeking a direction to the respondents 1 to 3 to conduct enquiry on the petitioners representation/complainant dated 26.8.2022 and cancel the patta if any issued in any other persons name and consequently, direct them to issue updated patta in favour of the petitioner herein pertaining to the land situated at Kumaraswamy Nagar Layout No.155, Sholinganallur Village.

2. The case of the petitioner is that the petitioner is the absolute owner of the house site bearing plot No.I,II,III,XIV & XV Kumarasamy Nagar Layout, Neelangarai, Sholinganallur Taluk, Chennai. On the earlier occasion, one T.Senthil Kumar had created a forged power of attorney dated 02.07.2017 and based on which, he sold the property under five different sale



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deeds in favour of one E.Murthy, Dhanavel, Ramalinga, Bharathiraja and Sridhar, for which, the petitioner made a complaint to the Chennai Police Commissionerate and therefore, the Central Crime Branch had registered a case in Cr.No.223 dated 31.05.2018 against one T.Senthil Kumar, E.Murthy, Dhanavel, Ramalinga, Bharathiraja and Sridhar. In this regard, the above said accused persons have filed anticipatory bail application and before the Court, they undertook to cancel the forged sale deeds and accordingly, he executed cancellation deed for all the five forged sale deeds. While so, the power of attorney of the petitioner approached the VAO to pay the land tax for the current period. However, the VAO informed that the patta was obtained by another person in respect of the petitioner's property and therefore, he denied to receive the tax. Hence, the petitioner made a representation on 26.08.2022 to the respondents 1 to 3 to receive the kist and also order for enquiry regarding the wrong patta. However, there is no action, till date on the part of the respondents and hence, the present writ petition has been filed seeking an appropriate remedy.

3. Learned counsel for the petitioner submitted that this Court may direct the respondents to conclude the enquiry and cancel the patta which was issued in favour of the third parties and also direct the respondents to



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update the patta in favour of the petitioner pertaining to the land situated at Kumarasamy Nagar Layout, No.155, Sholinganallur Village, within the stipulated time as fixed by this Court.

4. The learned Addl. Government Pleader, on instructions, submitted that the petitioner and one Baskar are having patta in respect of the very same property. In this regard, the respondents have conducted enquiry on 18.10.2022 and the said was postponed on 26.10.2022 for conducting further enquiry. The respondents will conduct enquiry and they will pass appropriate orders within the stipulated time as fixed by this court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In view of the above submission made by the learned Addl. Government Pleader, this Court directs the respondents to conclude the enquiry and pass appropriate orders, after affording opportunity to the petitioner as well as the counter parties, within a period of six weeks from the date of receipt of a copy of this order.



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WEB COPY 7. With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

19.10.2022

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Index : Yes / No

Speaking order : Yes / No

To

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M.DHANDAPANI, J.

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