



Writ Petition No.28708 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 31.10.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.28708 of 2022

V.Harish

... Petitioner

VS.

1. The District Collector,
Collectorate
Bangalore Road
Krishnagiri – 635 001
Krishnagiri District
2. The District Revenue Officer
Collectorate
Bangalore Road
Krishnagiri – 635 001
Krishnagiri District
3. The Revenue Divisional Officer
Bangalore Road
Veerappa Nagar
Krishnagiri – 635 001
Krishnagiri District
4. The Tahsildar
Denkanikottai Taluk
Krishnagiri District



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5. Mr.K.B.Hadi Basha

6. Mr..M.Dodde Gowdu

7.M/s. Sreemahadeswara Oil Mills
Represented by its Proprietor
Mr.R.Sachithanandan
Residing at No.14/74, Jaisankar Colony
Hosur Taluk
Krishnagiri District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing respondents 1 to 4 herein to consider the representation submitted by the petitioner on 24.08.2022 to conduct enquiry and pass such further or other orders as this Hon'ble Court may deem fit.

For Petitioner : Mr.S.Sheik Thanveer Ahamed

For Respondents : Mr.U.Bharanidharan
for Respondents 1 to 4

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus to direct the respondents 1 to 4 herein to consider the petitioner's representation dated 24.08.2022 to conduct enquiry and pass appropriate orders within the time frame that may be fixed by this Court.



2. Since no adverse order is being passed against the respondents 5 to

7, notice to respondents 5 to 7 is dispensed with.

3. The case of the petitioner is that originally the properties in S.No.106/4 of an extent of 2.17 Acres and S.No.105/1 of an extent of 1.03 Acres were allotted in favour of the father of the petitioner's grandfather namely Ayyappan in the year 1965 as Adi Dravidar Condition Land. After his demise, Patta was issued in favour of Appusamy i.e., petitioner's grandfather. Subsequently the said property was purchased by one Bashu Saheb @ Sabash Khan Shahib, who in turn transferred the said property in favour of M/s.Sreemahadeswara Oil Mills and one R.Sachithanandan. It is the grievance of the petitioner, that the above said properties were sold illegally in favour of third parties, and in order to conduct inquiry and to cancel the sale deeds executed by various persons, the petitioner has made a representation dated 24.08.2022, before the respondents 1 to 5. Since the same was not considered by respondents 1 to 5, the petitioner has filed the present writ petition seeking the aforesaid relief.



4. Though very many grounds have been raised in the present writ petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to respondents 1 to 5, to consider the petitioner's representation dated 24.08.2022 and pass appropriate orders within the time frame that may be stipulated by this Court.

5. Learned Additional Government Pleader appearing for respondents 1 to 5 has no objection for the said order being passed.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7. Though very many contentions have been advanced, however, it is the claim of the petitioner that he is the grandson of one Appusamy and that the petitioner also has a right over the above said properties. He further claims that the private respondents and others illegally alienated the above said properties in favour of third parties. In order to cancel the sale deed executed by the private respondents and others, the petitioner has made a representation 24.08.2022 before the respondents 1 to 5. Since no action



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has been taken by the respondents 1 to 5, the petitioner has filed the present writ petition.

8. Though averments as above are made, however, it is to be pointed out that no records were produced before this Court to substantiate that the assignment of above said Adi Dravidar Condition Land was made in favour of said Ayyappan in the year 1965. In the absence of any such proof, to substantiate that the petitioner also has a right in the above said properties, this Court, is not inclined to pass any affirmative order in favour of the petitioner. Accordingly, the prayer sought for by the petitioner cannot be granted.

9. With the above observation, this writ petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. There shall be no order as to costs.

31.10.2022

RAP
Index : Yes/No
Speaking order : Yes/No



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M.DHANDAPANI, J.

RAP

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