



W.P.No.10859 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2022

CORAM:

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

W.P.No.10859 of 2017

Potla Malathi Rao

. . Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep by Principal Secretary,
Revenue & Land Administration,
Secretariat, Chennai-600 009.
2. The District Collector and Magistrate,
Collectorate,
Thiruvallur District, Thiruvallur.
3. The District Revenue Officer,
(DRO) Land Admn.Collectorate,
Thiruvalur, Tamil Nadu.
4. The Tahsildar,
Taluk Office,
Thiruvallur Thiruvallur District,
Tamil Nadu.

. . . Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 2, 3, 4 to consider and issue the said Adangal, 1-B, Sethuvar, Confirmation and computerized Patta in respect of the agricultural land (1) Tirutani Taluk TD No.312, 313, Paimash No.1250, 1412, 98, 408, 1227 & 1239 admeasuring area AC.230.00 (2) Maddur Village No.97 TD No.2755, 2756 Paimash No.39, 54 416, 419, 420 admeasuring area AC 115.00, (3) Thangal Gollakuppam Village No.82, TD No.320, 321, Paimash No.295, 124 admeasuring area Ac 80.00 (4) Thangal Gollakuppam Village No.82, TD No.320, 321, Paimash No.295, 124 admeasuring area Ac 115.00 (5) Thandur Village no.17, No.2594, 2595 Paimash No.22,23,231, 232, 233 admeasuring Ac 64.00 and in Thiruvallur Taluk, (6) Ramapuram Village No.107, TD no.2050, Paimash No.187, 402 admeasuring Area AC.50.00 (7) Sriramapuram Village No.85, TD No.355, 356 Paimash No.43, 76, 108, 88, 95, 98, 132-admeasuring area 100.0 and (8) Mangalam Village No.92 TD No.293, 294 Paimash No.149, admeasuring area Ac.100.00 based on the representation made by the petitioner on 07.03.2017, 28.03.2017 and 06.04.2017.

For Petitioners : M/s.S.Mazhaimenipandiyan

For Respondents : Mr.T.K.Saravanan
Government Advocate



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ORDER

The present petition has been filed seeking a direction to the respondents 2, 3 & 4 to consider the representations dated 07.03.2017, 28.03.2017 and 06.04.2017 made by the petitioner and issue patta in respect of the properties which is a subject matter of this Writ Petition.

2. It is the case of the petitioner that he was appointed as power of Attorney of one Grujala Jayachandra Naidu/Principal S/o.Late.Veeraswamy Naidu in respect of the subject properties. The said properties devolved upon the said Grujala Jayachandra Naidu from his predecessors in pursuant to C.S.No.213 of 1898 which was decreed on 02.02.1900 and the principal was in continuous possession of the same. However, G.O.Ms.No.1300 dated 30.04.1971 Revenue Department was issued in pursuance to G.O.Ms.No.2502 (Revenue) dated 08.07.1958 Tamilnadu Act, to grant patta in favour of the persons who are in continuous Possession and enjoyment of the aforesaid properties, pursuant to which, the deceased father of said Grujala Jayachandra Naidu, had applied for grant of patta in respect of the said properties. Since, there was no response from the respondents with



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regard to the same, the petitioner acting as a power of Attorney had made representations dated 07.03.2017, 28.03.2017 and 06.04.2017 to the respondents seeking issuance of Adangal, 1-B, Sethuvar, Confirmation and computerized Patta in respect of the subject properties. 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 issues a direction to the 4th respondent/Tahsildar to consider and pass appropriate orders on the petitioner's representation, within the time that may be stipulated by this Court.

4. On the above contentions, this Court, heard the learned Additional Government Pleader appearing for the respondents.

5. Though the petitioner claims to be the power of attorney to his principal namely Grujala Jayachandra Naidu who was in possession of the above said properties, which properties are said to have been devolved upon



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the principal, however, no materials such as Patta, adandal, chitta etc have been placed before this Court, to substantiate the claim of continuous possession of the property and devolution of the same on the petitioner by virtue of the orders in the suit. In the absence of any material to establish his title to the properties in question, this Court cannot issue any affirmative direction to the respondents as sought for in this Writ Petition and this Writ Petition deserves to be dismissed.

6. For the reasons aforesated, this Writ Petition is devoid on merits and the same is dismissed accordingly. No Costs.

17.10.2022

NHS

Index : Yes / No

Internet : Yes / No



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M.DHANDAPANI, J.

NHS

To

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Government of Tamil Nadu,
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