



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

W.P. No.28876 of 2023

S.Kanaganathan

... Petitioner

Vs.

1. The District Collector  
Thiruvallur District  
Thiruvallur

2. The Revenue Divisional Officer  
Ponneri, Thiruvallur District

3. The Tasildar  
Ponneri Taluk, Ponneri

4. Mrs.Kalaiselvi

5. Mrs.Bavaridevi

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of Mandamus directing the 2nd respondent to dispose of the petitioner representation dated 20.02.2023 to make necessary correction in respect of total extent of petitioner property as 30 cents situated in Patta No.1128 in an extent of 0.12.0 Hectares (30 cents) comprised in S.No.81/2A1 in No.119-Sothupakkam Village, Ponneri Taluk, Thiruvallur District and to issue corrected Patta to the petitioner and pass suitable orders on it within a time frame that may be fixed by this Court.

For Petitioner : M/s.T.Dharani

For Respondents : Mrs.N.Senthil Selvi

Government Advocate for R1 to R3

**ORDER**

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This Writ Petition is filed for a writ of mandamus directing the 2nd respondent to dispose of the petitioner's representation dated 20.02.2023 to make necessary correction in respect of total extent of petitioner's property as 30 cents situated in Patta No.1128 in an extent of 0.12.0 Hectares (30 cents) comprised in S.No.81/2A1 in No.119-Sothupakkam Village, Ponneri Taluk, Thiruvallur District and to issue corrected Patta to the petitioner and pass suitable orders on it within a time frame that may be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and perused the records.

3. The contention of the petitioner is that he is the sole title holder of the above said property and he is in possession and enjoyment of the said property. While so, the respondents 4 and 5 herein who are in no way related to the said property, have fraudulently subdivided the property and obtained Patta in their names in an irregular manner. In this regard, the petitioner had already submitted a petition to the Tahsildar, Ponneri/3rd respondent herein



expressing his objection and that the Tahsildar/3rd respondent also conducted an enquiry and submitted a report to the Revenue Divisional Officer, Ponneri/2nd respondent herein, vide proceedings Na.Ka.No.1109/2020/AA2, dated 20.10.2020, to cancel the subdivision carried out erroneously in the names of the respondents 4 and 5 herein and to issue a Patta once again in favour of the petitioner. Since there was no action on the side of the 2nd respondent herein, the petitioner preferred a representation dated 20.02.2023 to take further action in accordance with the report forwarded by the the Tahsildar, Ponneri/3rd respondent herein. However, the above representation had not evoked any response and therefore, the petitioner had left with no other option except to file this writ petition for speedy and efficacious remedy.

4. The learned Government Advocate appearing for the respondents 1 to 3 submitted that the matter is pending with the 2nd respondent and the 2nd respondent is going to conduct enquiry. However, so far, no date has been fixed for the enquiry and communicated to the petitioner and also to the respondents 4 and 5 herein.



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5. In the light of the limited scope of prayer sought for in this writ petition and the submissions of the learned counsel on either side, this Court without going into the merits of the case, directs the 2nd respondent to fix a date for enquiry and after giving notice to the petitioner as well as to the respondents 4 and 5 and interested parties/rival claims if any, conduct enquiry in the manner known to law and pass appropriate orders on merits and in accordance with law as expeditiously as possible provided within a period of two months from the date of receipt of copy of this order.

6. With the above directions, the writ petition is disposed of at the admission stage itself. However, there shall be no order as to costs.

06.10.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The District Collector  
Thiruvallur District  
Thiruvallur

2. The Revenue Divisional Officer  
Ponneri, Thiruvallur District

3. The Tasildar  
Ponneri Taluk, Ponneri



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**P.VELMURUGAN. J.**

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