



W.P.No.29586 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.29586 of 2023

S.Pandurangan

... Petitioner

versus

- 1.The District Collector,
Office of the District Collector,
Ranipet District,
Ranipet.
- 2.The District Revenue Officer,
Office of the District Collector,
Ranipet District,
Ranipet.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Arakkonam,
Ranipet District.
- 4.The Tahsildhar,
Office of the Tahsildhar,
Nemeli Taluk,
Ranipet District.
- 5.The Village Administrative Officer,
Ayyarpadi Village,
Nemeli Taluk,
Ranipet District.

Pg.Nos.1/7



W.P.No.29586 of 2023

6.Sathiyamoorthi

7.Malarkodi

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the fourth respondent to issue a patta in favour of the petitioner to the properties situated in S.No.318/4 to an extent of 424.35 sq.meters in Ayyarpadi Village Account, Nemeli Taluk, Ranipet District.

For Petitioner : Mr.A.Gouthaman

For Respondents : Mr.V.Veluchamy
Additional Government Pleader
for R1 to R5

ORDER

Mr.V.Veluchamy, learned Additional Government Pleader takes notice for respondents 1 to 5. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage, itself.

2. The petitioner seeks for a mandamus directing the fourth respondent to issue patta in favour of the petitioner in respect of the



W.P.No.29586 of 2023

properties situated in S.No.318/4 measuring an extent of 424.35 sq.mts in Ayyarpadi Village Account, Nemeli Taluk, Ranipet District.

3. According to the petitioner, in respect of the subject properties, his father executed a settlement deed 19.11.2010 registered as Doc.No.986/2010 on the file of the Sub Registrar of Kaveripakkam in favour of the petitioner. Subsequently, his father unilaterally cancelled the said settlement deed. After cancellation of settlement deed, the petitioner's father had executed a settlement deed in favour of the petitioner's brother/6th respondent vide settlement deed dated 22.09.2011. Based on that, the petitioner's brother executed a settlement deed in favour of his wife Malarkodi/7th respondent herein through a registered settlement deed dated 07.03.2013. Hence, the petitioner filed a suit in O.S.No.398 of 2014 on the file of the Sub Court, Arakkonam for declaration and permanent injunction against his father and the same was decreed in favour of the petitioner on 06.07.2017. Aggrieved by the same, the petitioner's father filed an appeal in A.S.No.22 of 2018 on the file of the II Additional District Judge, Vellore @ Ranipet and the same was dismissed for default on 02.11.2019. Since before



W.P.No.29586 of 2023

the judgment, the father of the petitioner died on 19.08.2018, the brother of the petitioner has not taken any steps to restore the appeal. Hence, the petitioner has given a representation dated 29.06.2022 to the respondents to transfer the patta from his father name to his name, but the respondents have not considered the same yet. Hence, the petitioner is before this Court by way of writ petition.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the fourth respondent to consider the representation of the petitioner dated 29.06.2022.

5. The learned Additional Government Pleader appearing for respondents 1 to 5 fairly submitted that fourth respondent may be directed to consider the representation of the petitioner dated 29.06.2022 on merits and in accordance with law.

6. In the light of the limited scope of the matter and having regard to the submissions made by the learned counsel on either side, this



W.P.No.29586 of 2023

Court, without going into the merits of the case, directs the fourth respondent to consider the representation of the petitioner dated 29.06.2022, on merits and in accordance with law, after giving notice to all the interested parties, including respondents 6 and 7 and also after conducting enquiry, within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of.

However, there shall be no order as to costs.

12.10.2023

Speaking/Non-speaking order

Index : Yes/No

Neutral Citation : Yes/No

ms



WEB COPY



W.P.No.29586 of 2023

To

- 1.The District Collector,
Office of the District Collector,
Ranipet District,
Ranipet.
- 2.The District Revenue Officer,
Office of the District Collector,
Ranipet District,
Ranipet.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Arakkonam,
Ranipet District.
- 4.The Tahsildhar,
Office of the Tahsildhar,
Nemeli Taluk,
Ranipet District.
- 5.The Village Administrative Officer,
Ayyarpadi Village,
Nemeli Taluk,
Ranipet District.

Pg.Nos.6/7



WEB COPY



W.P.No.29586 of 2023

P.VELMURUGAN, J.

ms

W.P.No.29586 of 2023

12.10.2023

Pg.Nos.7/7