



W.P.No.30920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.30920 of 2023

C.Arul

... Petitioner

versus

- 1.The Principal Secretary to the Government of Tamil Nadu,
Revenue and Disaster Management,
St.George Fort,
Chennai – 600 009.
- 2.The Commissioner of Land and Administration,
II Floor, Ezhilagam,
Chepauk, Chennai – 600 005.
- 3.The District Collector,
Chennai District,
Chennai – 600 001.
- 4.The Commissioner of Police,
Avadi Police Commissionerate,
Avadi, Chennai – 600 054.
- 5.The Revenue Divisional Officer,
Chennai Central,
Anna Nagar West Extension,
Chennai – 600 102.

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6.The Tahsildar,
Ambattur Taluk,
PI Cycle Industries.
Tiruvallur High Road,
Ambattur, Chennai – 600 053.

7.The Special Tahsildar,
Land and Tax Scheme,
Ambattur Taluk,
PI Cycle Industries,
Tiruvallur High Road,
Ambattur, Chennai – 600 053.

8.M.Kannan

9.K.Suganthi

10.U.Jayakanthan

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing respondents 1 to 7 herein to consider the representation dated 10.09.2023 and to take necessary action against respondents 8 to 10, who created a forged Government Seal and Documents.

For Petitioner : Mr.R.Karthik
for M/s.R.K.Law Firm

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader
for R1 to R3 and R5 to R7

Mr.S.Sugendran,
Additional Government Pleader
for R4



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ORDER

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Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for respondents 1 to 3 and 5 to 7 and Mr.S.Sugendran, learned Additional Government Pleader takes notice for the 4th respondent. Since no adverse order is passed as against respondents 8 to 10, notice to those respondents is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus directing respondents 1 to 7 herein to consider the representation dated 10.09.2023 and to take necessary action against respondents 8 to 10, who created a forged Government Seal and Documents.

3.1 The case of the petitioner is that the subject property originally belonged to one Rathinapandaram, who purchased the property from one Kuppu Reddy and Nainiyappa Reddy, by virtue of a registered sale deed in Doc.No.329 of 1935, on the file of the Sembiam SRO. The said Rathinapandaram died intestate, leaving behind his legal heirs viz., Punniyakodi, Egambaram, Devaraj and Gangadharan, through intestate



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succession. Out of the four legal heirs, the said Punniyakodi died and others entered into a partition, and said Egambaram was allotted with an extent of 28.5 cents and an extent of 14.5 cents each was allotted to Devaraj and Gangadharan. While so, the said Gangadharan had executed a registered sale deed dated 18.11.1985 in favour of the petitioner's father, vide Doc.No.5686 of 1985 for an extent of 14 cents. Thereafter, the petitioner's father also obtained patta in his favour. Subsequently, the petitioner's father sold a part of land around 2418 sq.ft out of 14 cents in favour of one Murugappan and his wife Meenal, vide registered sale deed dated 19.08.2005 in Doc.No.8621 of 2005.

3.2 Further it is also the case of the petitioner that he acquired the property situated in S.No.181/1B of Menambedu Village, Ambattur Taluk, Chennai – 600 053, by way of settlement deed dated 17.04.2006 from his father vide Doc.No.4329 of 2006. In the year 2012, the Chennai Metropolitan City Corporation Limit was extended and Ambattur was inducted as one of the Taluks of North Chennai and all the revenue details were updated to the New On-line mode, vide Town Survey field Register.



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While so, the petitioner's property was updated in on-line mode as New Survey No.96/1 in Ward C, Block B, however, the name of Rathinapandaram is reflected instead of the petitioner's father name.

3.3 It is further stated that when the petitioner is trying to sell the property, he came to know that one Kannan/8th respondent herein has fabricated the forged documents and executed a settlement deed in favour of one Suganthi for the petitioner's property, vide Doc.No.8923 of 2022, who in turn, executed a Power of Attorney Deed in favour of one Jeyakanthan, vide Doc.No.9549 of 2022. The said settlement deed is enclosed with TSLR Patta. Further, prior to the registration of the said settlement deed, the Sub-Registrar, Ambattur sent a letter in Na.Ka.No.131/2022 dated 13.05.2022 to the Special Tahsildar to ascertain the genuineness of the TSLR Patta, for which the Special Tahsildar replied to the Sub Registrar, Ambattur, affirming that the TSLR Patta was issued by the Special Tahsildar. Hence, the petitioner sent a letter dated 04.07.2023 under RTI Act, from which he received a reply on 21.07.2023, wherein the issuance of the TSLR Patta was denied and further, it was affirmed that there was no such designation.



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Hence, the above said TSLR patta and Special Tahsildar communication in Na.Ka.No.29 of 2022 dated 31.05.2022 are forged documents. Therefore, the petitioner has given a representation on 10.09.2023 to respondents 1 to 7 and requested them to take necessary action against respondents 8 to 10, who created a forged Government Seal and Documents. However, there was no response from the respondents, and hence, the petitioner is before this Court by way of this writ petition.

4. On a perusal of the representation, it is seen that the private respondents and their men threatened the petitioner and are also giving life threat and also restraining him from entering into the property. That be the case, the official respondents have nothing to do, and since there is a civil dispute and also criminal intimidation between the parties, it requires detailed investigation and evidence and the same cannot be decided in the writ petition, and hence, this writ petition is not maintainable.

5. Considering the above facts and circumstances, this writ petition is dismissed. However, liberty is given to the petitioner to work out his



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remedy in the manner known to law before the appropriate forum. There shall be no order as to costs.

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Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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P.VELMURUGAN, J.

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