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W.P.No.33172 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.33172 of 2023

M.G.DHEENADYALAN

... Petitioner

Vs.

1. THE COMMISSIONER OF LAND ADMINISTRATION
OFFICE OF LAND ADMINISTRATION DEPARTMENT, EZHILAGAM, CHEPAUK,
CHENNAI- 600 005.

2. THE DISTRICT COLLECTOR
OFFICE OF COLLECTORATE, TIRUVALLUR DISTRICT- 602 001.

3. THE DISTRICT REVENUE OFFICER
COLLECTORATE CAMPUS, TIRUVALLUR - 602 001.

4. THE REVENUE DIVISIONAL OFFICER
TIRUTTANI, TIRUVALLUR - 631 209.

5. THE TAHSILDAR
TIRUTTANI TALUK, TIRUVALLUR DISTRICT.

6. RATHINAM

7. ELUMALAI (RETIRED DEPUTY TAHSILDAR)

8. DHAKSNAMOORTHY

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus to direct the respondents 1 to 3 to pass an order,



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based on the Report submitted by the 4th Respondent dated 03.11.2020 to cancel the Patta Nos.1891, 1892, 1893, 1894.

For Petitioner : Mr.L.Chandrakumar
for M/s Sarvabhauman Associates

For Respondents : Mr.V.Veluchamy
Addl. Government Pleader for RR1 - 5

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to pass an order, based on the Report submitted by the 4th Respondent, dated 03.11.2020 to cancel the Patta Nos.1891, 1892, 1893, 1894.

2. By consent of both the parties, this Writ Petition itself is taken up for final hearing at the admission stage.

3. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents 1 to 5. Since no adverse order is being passed in this Writ Petition as against the respondents 6 to 8, notice to the respondents



6 to 8 is hereby dispensed with.

4. The learned counsel for the petitioner submitted that the petitioner's grandfather – Duraisamy Reddy is the owner of the property in Old S.No.194/1 and New S.No.190/14 of an extent of 2.62 cents, situated at Panapakkam Village, Tiruttani Taluk, Tiruvallur District, and the Revenue Records stand in the name of his grandfather. On 18.03.1967, petitioner's grandfather passed away. After his demise, petitioner's grandmother took over the possession of the above said property. While so, in the year 1974, one Murugesu Reddy, in a fraudulent manner, sold the above said property to his own brother – Gopal Reddy and the sale deed was registered as Document No.236/1974, 238/1974 and 1078/1974 on the file of the Sub-Registrar Office, Tiruttani. As against the above illegality, petitioner made a complaint before the Revenue Department on 21.11.2017, for cancellation of the illegal Patta in Patta No.188. Based on the petitioner's complaint dated 21.11.2017, the District Revenue Officer, Tiruvallur, the 3rd respondent herein passed an order dated 09.12.2017, directing the Revenue Divisional Officer, Tiruttani, the 4th respondent herein, to conduct an enquiry. Though the 4th respondent



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had conducted enquiry, by issuing summons to the petitioner and the respondents 6 to 8, till date no final order has been passed.

5. The learned counsel for the petitioner further submitted that it would suffice if a direction is issued to the 4th respondent to consider the representation dated 21.11.2017 submitted by the petitioner.

6. Mr.Veluchamy, learned Additional Government Pleader, submitted that the 4th respondent may be directed to consider the petitioner's representation dated 21.11.2017 and pass orders on merits and in accordance with law.

7. Having regard to the submissions made by the learned counsel on either side and the fact that already the 4th respondent had initiated action on the petitioner's representation dated 21.11.2017, this Court taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, directs the 4th



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respondent to consider the representation of the petitioner dated 21.11.2017 after conducting enquiry and pass appropriate orders on merits and in accordance with law, after issuing notice to all the interested parties/rival claimants and the respondents 6 to 8 herein, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

24.11.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.,

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