



W.P.No.34156 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **11.12.2023**

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.34156 of 2023

Sakampuri Rajagopal
Represented by his Power Agent
R.Prabhavathi

... Petitioner

Versus

The Sub Collector,
Ponneri Sub Division,
Ponneri Taluk,
Thiruvallur District – 601 204

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to pass appropriate orders on the complaint given by the Petitioner dated 10.03.2023.

For Petitioner : Mr. S.Udhaya Kumar

For Respondent : Mr. R.P.Murugan Raja
Government Advocate



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ORDER

This Writ Petition has been filed seeking for issuance of a simple writ of mandamus to direct the respondent to pass appropriate orders on the complaint given by the Petitioner dated 10.03.2023.

2. The allegation of the petitioner is that the land to an extent of 1.00 Acre comprised in S.No.434/1 situated in Ponneri-II Village, Ponneri Taluk, Thiruvallur District was purchased by the petitioner's mother, namely, Mrs.R.Subbulakshmi, vide Sale Deed dated 07.08.1974 registered Vide Doc.No.1821/1974 in the Sub-Registrar Office, Ponneri. The said Mrs.R.Subbulakshmi, died intestate, leaving behind the petitioner and his sister Mrs.Jayammal. The petitioner is residing in U.S.A. Taking advantage of the long absence of the petitioner and old age of his sister, Mrs.Jayammal, the two sons of the said Mrs.Jayammal, have executed seven Settlement Deeds in respect of the lands belonging to the petitioner in favour of their family members and based on which Patta has also been obtained by the Settlees. On coming to know about the same, on 09.03.2023, the petitioner preferred a complaint before the District Registrar (Admin), Thiruvallur to cancel all the illegal settlement deeds. On



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10.03.2023, he preferred a complaint before the respondent to cancel all the Pattas. Due to his old age, the petitioner wants to take immediate action in this regard and furthermore, it is the main contention of the petitioner that if the Pattas are not cancelled. There are chance of further alienation. Hence, the present Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials available on record.

4. Considering the facts and circumstance of the case, and taking into consideration the limited prayer sought for in this Writ Petition, without going into the merits of the case, this Court directs the respondent to conduct a fresh enquiry, if the earlier enquiry was not conducted properly, after issuing notice to the petitioner as well as to the adjacent land owners of the subject property and also interested parties/rival claimants if any, in a manner known to law and consider the complaint of the petitioner dated 10.03.2023, and pass orders on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this



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order.

5. With the above directions, the Writ Petition stands disposed
of. No costs.

11.12.2023

Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

klt

To:

The Sub Collector,
Ponneri Sub Division,
Ponneri Taluk,
Thiruvallur District – 601 204



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P. VELMURUGAN, J.

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