



W.P.No.998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.998 of 2024

Sabira

... Petitioner

versus

- 1.The Tahsildar,
Cheyyur Taluk Office,
Cheyyur, Chengalpet District,
Tamil Nadu – 603 302.
- 2.The Revenue Divisional Officer,
Maduranthakam, Chengalpet District,
Tami Nadu – 603 306.
- 3.The District Revenue Officer,
VOC Nagar,
Chengalpattu – 603 001.
- 4.Syed Masthan

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to conduct enquiry and cancel Patta stands in the name of Syed Masthan, who obtained the patta fraudulently without having proper/genuine/valid title document; Survey No.195/4A, an extent of 0.34 cents at Vilambur Village.

For Petitioner : Ms.E.Arivumathi

Pg.Nos.1/5



W.P.No.998 of 2024

For Respondents : Mr.R.Vigneshwaran
Government Advocate
for R1 to R3

ORDER

Mr.R.Vigneshwaran, learned Government Advocate accepts notice for respondents 1 to 3. Since this writ petition is being disposed of without passing any adverse orders against the 4th respondent, affecting his interest, notice to the 4th respondent is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents 1 to 3 to conduct enquiry and cancel the Patta stands in the name of Syed Masthan/4th respondent herein, who has obtained it fraudulently without having proper/genuine/valid title document in respect of Survey No.195/4A, measuring an extent of 0.34 cents at Vilambur Village.

3. It is seen that the petitioner herself has admitted that the petitioner and other legal heirs of Kathijabeevi and the fourth respondent are having share in the subject property, whereas the relief sought for in this writ



W.P.No.998 of 2024

petition is to cancel the Patta stands in the name of the fourth respondent in respect of the subject property. The fourth respondent filed a suit in O.S.No.274 of 2010 on the file of the District Munsif Court, Madurantakam for declaration and injunction in respect of the subject property and the same was dismissed on the ground that he is not having absolute right over the entire extent of the subject property. If at all the petitioner wants to include her name in the Patta, she has to file an application seeking to issue joint Patta in respect of the subject property.

4. In view of the above, the petitioner is directed to make a fresh application to the respondents to issue joint Patta in favour of the petitioner and all other legal heirs in respect of the subject property within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, after giving notice to the petitioner, fourth respondent herein and other legal heirs as well as rival claimants/objectors/interested parties, if any, as the case may be and after conducting enquiry, within a period of two months from the date of



W.P.No.998 of 2024

receipt of the application from the petitioner.

WEB COPY

5. With the above direction, this Writ Petition is disposed of.

However, there shall be no order as to costs.

18.01.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

ms

To

- 1.The Tahsildar,
Cheyyur Taluk Office,
Cheyyur, Chengalpet District,
Tamil Nadu – 603 302.
- 2.The Revenue Divisional Officer,
Maduranthakam, Chengalpet District,
Tami Nadu – 603 306.
- 3.The District Revenue Officer,
VOC Nagar,
Chengalpattu – 603 001.

Pg.Nos.4/5



WEB COPY



W.P.No.998 of 2024

P.VELMURUGAN, J.

ms

W.P.No.998 of 2024

18.01.2024

Pg.Nos.5/5