



WEB COPY



WP.No.11768 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **12.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.11768 of 2024

K.Shanmugam

.. Petitioner

Versus

1. The District Collector,
Chennai District, Chennai.
2. The District Revenue Officer,
Chennai District, Chennai.
3. The Revenue Divisional Officer,
Ambattur revenue Division, Chennai.
4. The Tahsildar,
Aynavaram Taluk Office, Ayanavaram, Chennai – 23.

5. V.Haridoss
6. V.Natarajan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the Na.Ka.No.391/2020/A2, dated 27.07.2020 quash the same and direct the third respondent to issue patta in favour of the petitioner.



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For Petitioner : Mr.G.Srivenkatesh
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned proceedings of the third respondent in Na.Ka.No.391/2020/A2, dated 27.07.2020 and direct the third respondent to issue patta in favour of the petitioner.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. The case of the writ petitioner is that subject property has been purchased by the petitioner by way of a registered sale deed dated 29.06.2016. The grievance of the petitioner is that when he applied for patta, the same was rejected on the ground that the property for which patta was applied is a part of the suit schedule property in O.S.No.6000 of 2014 pending before the VII



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Assistant City Civil Court, Chennai. Now, it is the contention of the petitioner that in the said suit the petitioner has been impleaded and the parties have entered into a compromise and the suit was decreed in terms of compromise. Hence, the present Writ Petition has been filed for quashing the proceedings of the third respondent and to direct the third respondent to issue patta to the petitioner.

5. The contention of the petitioner is that the suit itself has been decreed in terms of compromise entered between the parties. In such view of the matter, the Order passed by the third respondent cannot be sustained and it has to be quashed.

6. Accordingly, this Writ Petition is allowed and the impugned proceedings of the third respondent dated 27.07.2020 stands quashed and on production of the compromise decree passed in the suit in O.S.No.6000 of 2014 by the petitioner, the third respondent is directed to decide the appeal filed by the petitioner on 17.12.2019 afresh and pass Orders on merits after affording opportunity to all the parties concerned within a period of one month from the date of receipt of a copy of this Order. No costs.

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Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.

VRC

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