



WEB COPY



WP.No.11446 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **26.04.2024**

CORAM

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**WP.No.11446 of 2024**

T.J.Jeya Manikandan

.. Petitioner

Versus

1. The Revenue Divisional Officer,  
Thiruchencode – 637 211.

2. The Tahsildar,  
Thiruchencode – 637 211.

3. Sasikala

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein, to conduct enquiry in the matter and submit report to the first respondent herein within a time frame that may be fixed by this Court and directing the first respondent to consider the Appeal No.1562 of 2022 and the petitioner's representation dated 24.08.2023 with respect to issuance of patta in petitioner's name in respect of property measuring 197 square meters, comprised in Old Survey No.187/4, Town Survey No.15/4F, Block No.12, Ward-C (Kailasampalayam), Thiruchencode Town and Taluk, Namakkal District and dispose the same.

For Petitioner : Mr.B.K.Sreenivasan

For R1 & R2 : Mr.A.Selvendran  
Special Government Pleader



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## **ORDER**

**WEB COPY** By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the second respondent herein, to conduct enquiry in the matter and submit report to the first respondent herein and for directing the first respondent to consider the Appeal No.1562 of 2022 and representation of the petitioner dated 24.08.2023 with respect to issuance of patta in petitioner's name in respect of property measuring 197 square meters, comprised in Old Survey No.187/4, Town Survey No.15/4F, Block No.12, Ward-C (Kailasampalayam), Thiruchencode Town and Taluk, Namakkal District and dispose the same.

3. It is the case of the petitioner that the house property measuring 197 square meters, comprised in Old Survey No.187/4, Town Survey No.15/4F, Block No.12, Ward-C (Kailasampalayam), Thiruchencode Town and Taluk, Namakkal District was owned by his mother, J.Thilagam originally. On 25.02.2022, the Village Administrative Officer of Kailasampalayam had also issued a certificate certifying that the said property belongs to the mother of the petitioner. The petitioner's family card, Voter ID Card, Aadhaar card, etc., prove



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that the petitioner and his parents have been living in the said property for more than three decades. After the demise of father of the petitioner, they had let-out a portion of the said property for rent to the third respondent, who mischievously managed to obtain patta in her name in respect of the said property on 31.08.2018. The mother of the petitioner filed an Appeal No.1562 of 2022 before the first respondent requesting cancellation of patta in the name of the third respondent. On 05.09.2022, the first respondent had sent an official communication to the second respondent directing the second respondent to conduct an enquiry and submit a report. Pending appeal, the mother of the petitioner died and the petitioner being the sole legal heir, became owner of the said property and was impleaded in Appeal No.1562 of 2022. The petitioner has given another representation to the first respondent on 24.08.2023 requesting to cancel the patta issued in the name of the third respondent and to issue patta in the name of the petitioner. In response, the first respondent, vide an official communication dated 16.10.2023, had again directed the second respondent to conduct an enquiry and submit a report. But no steps were taken yet. Hence, the present Writ Petition.

4. The learned Special Government Pleader appearing for the first and second respondents also submitted that the appeal filed by the petitioner will



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be disposed of within a reasonable time.

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5. Heard learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.

6. Considering the limited relief sought for in this writ petition, there shall be a direction to the first respondent to dispose of the appeal filed by the petitioner in Appeal No.1562 of 2022 within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

**26.04.2024**

gsa

Index : Yes/No

Internet : Yes/No

To

1. The Revenue Divisional Officer,  
Thiruchencode – 637 211.

2. The Tahsildar,  
Thiruchencode – 637 211.



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**N. SATHISH KUMAR, J.**

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