



W.P.No.3419 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 3419 of 2024

Pillappa
S/o.Late Pappaiah

... Petitioner

versus

1. The District Revenue Officer
District Revenue Office
Chennai-635 115.

2. The Sub Collector
Collectorate Office
Hosur - 635 109.
Krishnagiri District.

3. The Tahsildar
Hosur Taluk
Hosur - 635 109
Krishnagiri District.

4. Muniappa
S/o.Munivenkatappa

... 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 consider the petitioner's representation dated 17.07.2023 for rectification of errors

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crept in the patta, which was wrongly issued to 4th respondent in respect of the land in Survey No.114/3 situated at Motham Chennathur Village, Hosur Taluk, Krishnagiri District and issue patta to the petitioner to an extent of 0.45 cents in Survey No.114/4 as per the Partition Deed dated 20.10.1956 and sale deeds dated 12.10.1994 and 15.05.1996 within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3
R4 - not ready in notice

ORDER

This writ petition has been filed seeking for a writ of mandamus directing respondents 1 to 3 to consider the petitioner's representation dated 17.07.2023 seeking for rectification of errors crept in the patta, which was wrongly issued to fourth respondent in respect of the land in Survey No.114/3 situated at Motham Chennathur Village, Hosur Taluk, Krishnagiri District and issue patta to the petitioner to an extent of 0.45 cents in Survey No.114/4 as per the Partition Deed dated 20.10.1956 and sale deeds dated 12.10.1994 and 15.05.1996.

2. It is stated that during Updating of the Registry Scheme (UDR), the Revenue Officials without verifying the records have wrongly issued Patta



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No.416 to one Munusamy. It is further stated that taking advantage of these wrong entries in the revenue records, the said Munusamy have entered into a Partition Deed dated 27.10.1997 vide Document No.7119 of 1997 and Patta No.2562 was also issued to one of his brother Muniappa, the fourth respondent herein. Despite the said facts, the Revenue authorities without issuing any notice to the petitioner's father or to the petitioner's predecessor in title, wrongly issued Patta to the fourth respondent herein to an extent of 0.17 cents which includes the petitioner's lands measuring an extent of 0.4 cents. On coming to know about the said erroneous entries in the Revenue records, the petitioner sent a representation dated 17.07.2023 to the respondents 1 to 3 enclosing relevant documents requesting them to take necessary steps to rectify the mistake in the Revenue records in respect of Survey No.114/3 and to issue fresh patta in his favour in respect of the land measuring to an extent of 0.45 cents in Survey No.114/4. As the said representation has not been considered by the respondents 1 to 3 so far, the present writ petition has been filed before this Court.

3. The learned counsel for the petitioner submitted that pending writ petition, the respondents 1 to 3 sent notice to the petitioner for enquiry.

4. The learned Special Government Pleader appearing for the



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respondents 1 to 3 submitted that notice was issued to the petitioner and the fourth respondent for enquiry.

5. Since already enquiry notice was issued, the first respondent is directed to give opportunity of hearing to both the petitioner as well as the fourth respondent and rival claimants/aggrieved parties, if any and conduct enquiry and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. However, there shall be no order as to costs.

15.03.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

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Chennai-635 115.

2. The Sub Collector
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Hosur - 635 109.
Krishnagiri District.

3. The Tahsildar
Hosur Taluk
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P.VELMURUGAN, J.
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