



W.P.Nos.24993 to 24995 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.24993 to 24995 of 2012
M.P.Nos.1 + 1 +1 and 2 + 2 +2 of 2012

M.Michael	...Petitioner in W.P.No.24993 of
2012	
Vanitha Michael	...Petitioner in W.P.No.24994 of 2012
E.Ravishankar	...Petitioner in W.P.No.24995 of 2012

Vs.

1. The District Collector,
Kancheepuram District,
Office of the District Collector,
Kancheepuram District.
2. The District Revenue Officer Kancheepuram,
Office of the District Revenue Officer,
at Kancheepuram,
Kancheepuram District.
3. The Tahsildar Sriperumbudur Taluk,
Office of the Tahsildar Sriperumbudur Taluk,
Sriperumbudur Town,
Kancheepuram District.
4. N.S.Sathiyavan,
Power of Attorney Agent of
P.Guru Vittal,



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No.148/A, 4th Main Road,
Thiruvalluvar Nagar,
Errukkenchery,
Chennai – 118.

...Respondents in all W.P.s

Prayer in W.P.No.24993 of 2012: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent bearing proceedings in Na.Ka.No.32911 / 2011 N 4 dated 12.08.2012 and quash the same and consequently forbear the third respondent from in any manner proceeding with the Patta of the property being farmland together with farmhouse, fencing and fruit bearing trees therein comprised in Survey No.34/2(part) land of an extent of 49.51 cents out of a total extent of acre 1.46 cents, situated in Village No.105 Sriperumbudur, bearing present Patta No.739, situated in Sriperumbudur Village and Taluk, Kancheepuram District.

Prayer in W.P.No.24994 of 2012: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent bearing proceedings in Na.Ka.No.32911 / 2011 N 4 dated 12.08.2012 and quash the same and consequently forbear the third respondent from in any manner proceeding with the Patta of the property being land comprised in Survey No.34/2(part) land of an extent of 23.07 cents out of a total extent of acre 1.46 cents, situated in Village No.105 Sriperumbudur Village, Town and Taluk, Kancheepuram District, bearing present Patta No.1629.



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Prayer in W.P.No.24995 of 2012: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent bearing proceedings in Na.Ka.No.32911 / 2011 N 4 dated 12.08.2012 and quash the same and consequently forbear the third respondent from in any manner proceeding with the Patta of the property being farmland which comprises of full-grown fruit bearing trees, together with compound wall, fencing and farm-house, comprised in Survey No.34/5, admeasuring 50.3 cents and Survey No.34/6 admeasuring an extent of 56.06 cents in all an extent of acre 1.07 cents, bearing Patta No.742, situated in Sriperumbudur Village and Taluk, Kancheepuram District.

In all W.P.s:

For Petitioners : M/s.A.Palaniappan

For Respondents : Mr.U.Baranidharan, AGP for R1 to R3
No Appearance for R4

COMMON ORDER

Since the issue involved in the present writ petitions are one and the same they are disposed of by way of this common order.

2. Assailing the order passed by the second respondent dated



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12.08.2012 directing the third respondent to cancel the patta issued in favour of the petitioners, the present writ petitions have been filed by the petitioners herein.

3. Though the notice was served on the fourth respondent, neither himself nor his counsel appeared before this Court. Considering the period of pendency of the writ petitions, the same are disposed of based on the materials available on record.

4. It is the case of the petitioners that they are the owners of the various extent of land situated at Sriperumbudur Village, Town and Taluk, Kancheepuram District. Thereafter, the patta were also mutated in favour of the petitioners. Pursuant to the complaint given by the fourth respondent seeking to cancel the sale deeds executed in favour of the petitioners, the second respondent vide impugned order dated 12.08.2012 had directed the third respondent to conduct enquiry between the parties and to cancel the patta issued in favour of the petitioners. Challenging the same, the present writ petition has been filed.



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5. Though the petitioners have filed the present writ petitions seeking the aforesaid relief, however, at the time of arguments, the learned counsel for the petitioners restricted his prayer and sought permission of this Court to approach the third respondent for appropriate remedy.

6. Heard the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.

7. In view of the limited request sought for by the learned counsel for the petitioners, this Court without interfering with the order impugned, permits the petitioners to file fresh representations before the third respondent within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of the said representations, the third respondent is directed to conduct enquiry in terms of the impugned order dated 12.08.2012 passed by the second respondent and pass appropriate orders on merits and in accordance with law and after affording an opportunity of personal hearing to the petitioners as well as the aggrieved



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persons if any, including the fourth respondent within a period of twelve
(12) weeks thereafter.

8. With the above observation, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No



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To:

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M.DHANDAPANI, J.

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