



W.P.No.7994 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.7994 of 2024

Panneerselvam

... Petitioner

Vs.

1 The District Collector,
Tiruvallur District,
Thiruvallur.

2 The Revenue Divisional Officer,
Ponneri Zone, Ponneri,
Tiruvallur District.

3 The Tahsildar,
Office of the Tahsildar,
Ponneri Taluk,
Ponneri-601 204.

4 Malleeshwari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to complete the enquiry and pass appropriate order in vide COLREV / 28780 / 2023-A4 dated 08.09.2023 for cancellation of fraudulent Patta No. 5627 with Sub-Divided S.No.191/1C2B measuring 0-51.75 Hectares situated in Devampattu Village, Ponneri Taluk within a time frame.



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For Petitioner : Mr.E.Prabu
For R1 to R3 : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the second respondent to complete the enquiry and pass appropriate order, vide COLREV / 28780 / 2023-A4 dated 08.09.2023 for cancellation of fraudulent Patta No. 5627 with Sub-Divided S.No.191/1C2B, measuring 0-51.75 Hectares, situated in Devampattu Village, Ponneri Taluk within a time frame.

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

3. Since no adverse order is passed against the private respondent/R4, notice to the private respondent is dispensed with.



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4. Learned counsel for the petitioner submitted that the petitioner purchased the property in question and also obtained patta. After sub-division, the Revenue Authorities had given the patta showing wrong survey number, for which, the petitioner made representation for correction of the error committed by the Revenue Authority. Though he has filed an application way back on 11.07.2022 itself and though the official respondents have issued summons, and the petitioner also appeared and made submissions, till date, even after two years of filing the representation, the official respondents have not yet passed final order. Hence, the petitioner is constrained to file the present writ petition for the relief stated supra.

5. Learned Additional Government Pleader appearing for the official respondents submitted that the petitioner appeared before the third respondent on 21.02.2024 and made his submissions and final order is yet to be passed.



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6. The third respondent issued summons to the petitioner and the petitioner appeared before the third respondent, however, the third respondent has not forwarded the final report to the second respondent for passing suitable final order. It is not in dispute that the petitioner presented the application on 11.07.2022 and the same was also acknowledged by the third respondent. Subsequent to the third respondent having issued summons to the petitioner, the said representation is pending for two years. So far the third respondent/Tahsildar has not sent a report to the second respondent/RDO. The second respondent has also not given any direction to the third respondent to file a report immediately. For simple rectification of their own mistake, the third respondent has made the petitioner to run from pillar to post without any valid reasons. The inaction on the part of the third respondent is highly deprecated.

7. Based on the submissions made by the petitioner during the enquiry conducted on 21.02.2024 the third respondent is directed to pass orders on merits and in accordance with law immediately. The entire



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exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Further the third respondent is directed pay the costs of Rs.25,000/-(Rupees Twenty Five thousand only) to the petitioner.

8. With the abovesaid direction, the Writ Petition is disposed of.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

- 1 The District Collector,
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- 2 The Revenue Divisional Officer,
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P.VELMURUGAN, J.

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