



WEB COPY



WP.No.9008 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.9008 of 2024

John Albert Devadosan Selwyn

.. Petitioner

Versus

1.The District Collector
District Collector Office
Krishnagiri – 635 115

2. The District Revenue Officer
District Collector Office
Krishnagiri – 635 115

3.The Sub Collector
Hosur Sub Collector Office
Hosur, Krishnagiri – 635 115

4.The Tahsildar
Hosur Taluk Office
Hosur, Krishnagiri – 635 115

5.K.Vijayarangan
6.A.Kurinji Paavai

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 3 and 4 to consider the petitioner's representation dated 02.02.2023 to cancel the patta Nos.8437 and 8328 and to issue patta and computerised chitta in the petitioner's name in respect of plot Nos.144 and 145 measuring an extent of 2700 sq.ft., comprised in Survey Nos.679/1 and 679/2 of Zuzuvadi Village, Hosur Taluk, Krishnagiri District within the time frame.



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For Petitioner : Mr.R.Bharath Kumar
For Respondent : Mr.A.Selvendran for R1 to R4
Special Government Pleader

ORDER

This writ petition is filed for a direction to the respondents 3 and 4 to consider the petitioner's representation dated 02.02.2023 to cancel the patta Nos.8437 and 8328 and further for issuance of patta and computerised chitta in the petitioner's name in respect of plot Nos.144 and 145 measuring an extent of 2700 sq.ft., comprised in Survey Nos.679/1 and 679/2 of Zuzuvadi Village, Hosur Taluk, Krishnagiri District.

2. It is the grievance of the writ petitioner that he purchased vacant house site bearing plot Nos.144 and 145 measuring an extent of 2700 sq.ft., comprised in Survey Nos.679/1 and 679/2 of Zuzuvadi Village, Hosur Taluk, Krishnagiri District by virtue of a sale deed dated 12.02.2019. Taking advantage of the fact that he was an absentee landlord, the Power of Attorney has been fabricated by the third party and the property has been dealt. On coming to know this fact, he has filed a suit in O.S.No.98 of 2010 on the file of District Munsif Court - I, Hosur for declaration title and mandatory injunctions to cancel the subsequent transactions by third party. The suit has been decreed on 22.07.2011 and the subsequent documents are annulled and



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removed from the entries by the Registration Department, pursuant to the direction of this Court in W.P.No.28084 of 2018. This Court while disposing of the writ petition also directed the Inspector General of Registration to take disciplinary action against the concerned Sub-Registrar. Thereafter, when the petitioner made a representation to the official respondents for transfer of patta in his name and cancel the patta issued in favour of the purchasers based on the bogus document, however, no order is passed. Hence, seeks direction.

3. The learned Special Government Pleader submitted that the third respondent issued a notice to the parties for production of documents, however, he has submitted that based on the civil decree and proceedings of this Court, patta will be issued within a reasonable time fixed by this Court.

4. Such view of the matter, this Court has already held that the petitioner is the absolute owner of the property and the subsequent documents are annulled, there shall be a direction to the third respondent to issue patta in the name of the petitioner after cancelling the patta issued in the name of the purchaser based on the bogus document. Such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this Order.



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5. Accordingly, this writ petition stands disposed of. No costs.

03.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

Note: Issue Order Copy on 05.04.2024

To,

1. The District Collector
District Collector Office
Krishnagiri – 635 115

2. The District Revenue Officer
District Collector Office
Krishnagiri – 635 115

3. The Sub Collector
Hosur Sub Collector Office
Hosur, Krishnagiri – 635 115

4. The Tahsildar
Hosur Taluk Office
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