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WP.No.9682 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.9682 of 2024

Ashvin Vinoth

.. Petitioner

Versus

1. The District Collector,
Office of the District Collector, Salem.
2. The Revenue Divisional officer,
Office of the Revenue Divisional Officer,
Sankari, Salem District.
3. The Tahsildar,
Idappadi, Salem District.
4. K.Ramasamy
5. S.Rudhra Balaji
6. R.Muniyan
7. R.Shanmugam
8. Vijaya

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second and third respondents to consider and pass Orders on the representation of the petitioner dated 30.03.2023 to cancel the patta in the name of the respondents 6 to 8 bearing number 2468, 4872 and 5824 and include the name of the petitioner and his mother in the patta issued for the land in S.No.758/2A, 758/2C, 758/1C and 759/1 within a time stipulated by this court.



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For Petitioner : Ms.Radhika Boopathi

For Respondents : Mr.A.Selvendran
Special Government Pleader – R1 to R3

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the second and third respondents to consider and pass Orders on the representation of the petitioner dated 30.03.2023 to cancel the patta in the name of the respondents 6 to 8 bearing number 2468, 4872 and 5824 and include the name of the petitioner and his mother in the patta issued for the land in S.No.758/2A, 758/2C, 758/1C and 759/1 within a time stipulated by this court.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.



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4. The case of the petitioner is that though the Power of Attorney was executed by the father of the petitioner, the property has been dealt with and sale deeds have been executed by the Power of Attorney after the death of his father. Therefore, he has given a representation to the District Registrar to cancel the sale deeds and the sale deeds were cancelled by an Order dated 01.08.2023. Aggrieved over the same, the respondents 6 to 8 have preferred an appeal before the Inspector general of Registration and the same is pending. In the meantime the petitioner made a representation to the second and third respondents for removing the names of the respondents and for issuance of patta in the name of the petitioner. But no action has been taken by the respondents. Hence, the present Writ Petition.

5. As the appeal preferred by the respondents 6 to 8 is pending, at this stage, there cannot be any directions to the respondents. In the event the petitioner succeeds in the appeal, thereafter, the authorities concerned shall pass an Order on the representation of the petitioner.

6. With the above observations, this Writ Petition is dismissed. No costs.

10.04.2024



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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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N. SATHISH KUMAR, J.

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