



WP.No.9763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.9763 of 2024

R.Anantha Krishnan

.. Petitioner

Versus

1. The District Collector,
Officer of the Collectorate,
Singaravelar Maligai, Chennai – 600 001.

2. The Tahsildar,
Mylapore Taluk Office,
Raja Annamalaipuram, Chennai – 600 028.

3. Lalith Chandra Choudary
4. P.Virenderanath Choudary

5. The Revenue Divisional officer,
South Chennai Guindy, Chennai – 600 032.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 13.02.2024 within a stipulated period and cancel the patta issued on 30.10.2024 by the second respondent in patta No.URB/02/08/005/001/0087/3958/4 in favour of the respondents 3 and 4.



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For Petitioner : Mr.A.D.Janarthanan

For Respondents : Mr.A.Selvendran
Special Government Pleader – R1, R2 & R5

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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 first respondent to consider the representation of the petitioner dated 13.02.2024 within a stipulated period and cancel the patta issued on 30.10.2024 by the second respondent in patta No.URB/02/08/005/001/0087/3958/4 in favour of the respondents 3 and 4.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1, 2 and 5 and perused the materials available on record.

4. The case of the writ petitioner is that originally he gave a representation to the respondents 1, 2 and 5 to transfer patta in the name of the respondents 3 and 4 and the Tahsildar rejected the claim of the third and fourth respondents for transfer of patta as against which they had preferred an



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appeal before the Revenue Divisional Officer and the fifth respondent allowed the appeal on 13.10.2023. As against the order of the fifth respondent, the petitioner preferred an appeal before the District Revenue Officer and the same is pending. While so, the second respondent issued patta in favour of the third and fourth respondents without any notice or affording any opportunity to the petitioner. Hence, the petitioner made a representation to the first respondent to cancel the patta and the same has not been considered till date. Hence, the present Writ Petition.

5. It appears from the records that the petitioner and private respondents have entered into an agreement during the pendency of the Second Appeal in S.A.No.677 of 2015 on the file of this Court which also indicate that the petitioner is in possession of the property. However, the terms entered between the parties to pay a sum of Rs.1,60,00,000/- has not been fructified. At this stage, patta has been granted in favour of the private respondents.

6. In such view of the matter, the first respondent shall consider the representation of the petitioner dated 13.02.2024 on the basis of the compromise decree and pass an Order on its own merits within a period of two months from the date of receipt of a copy of this Order. Besides, the District



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Revenue officer is also directed to dispose of the appeal filed by the petitioner taking note of the previous proceedings between the parties.

7. With the above directions, this Writ Petition is disposed of. No costs.

10.04.2024

vrc

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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Mylapore Taluk Office,
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N. SATHISH KUMAR, J.

VRC

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