



WP.No.11263 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11263 of 2024

1. P.Sridharan
2. P.Kalyanasundaram .. Petitioners

Versus

1. The District Collector,
Chennai District, No.62, Rajaji Salai,
Singaravelar Maligai, 4th Floor, Chennai – 600 001.
2. The Deputy Revenue Officer,
No.62, Rajaji Salai, Singaravelar Maligai,
4th Floor, Chennai – 600 001.
3. The Tahsildar,
Mambalam Guindy Taluk, New No.1, Old No.2,
K.K.Nagar, Chennai- 600 078. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to restore the patta in the name of the petitioners for the Survey No.37, Block No.37, Mambalam Taluk, Chennai.

For Petitioner : Mr.A.S.Ragul Adhithya

For Respondents : Mr.A.Selvenddran
Special Government Pleader



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ORDER

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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 restore the patta in the name of the petitioners for the Survey No.37, Block No.37, Mambalam Taluk, Chennai.

3. Heard learned counsel for the petitioner and the learned Special Public Prosecutor appearing for the respondents and perused the materials available on record.

4. The case of the petitioners is that the subject property was purchased in the name of their mother on 25.05.1964 and the petitioners are in peaceful possession of the property from the date of purchase. While so, the second and third respondents have removed the name of the mother of the petitioners and had cancelled the joint patta without giving opportunity of hearing to the petitioners. In this regard, the petitioners have already given a representation to the respondents on 01.08.2023 to restore the patta in their name. However, no action has been taken by the respondents till date. Hence, the present Writ

Petition.

<https://www.mhc.tn.gov.in/judis>



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5. A perusal of the Permanent Land Register indicate that the Wakf Board has been included in the patta and there is no indication that appropriate opportunity is given to the petitioners. In such view of the matter, the respondents are directed to consider the representation of the petitioners dated 01.08.2023 for restoring the patta in the name of the petitioners and pass Orders on the same in accordance with law within a period of four months from the date of receipt of a copy of this Order.

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

25.04.2024

vrc

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

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Chennai District, No.62, Rajaji Salai,
Singaravelar Maligai, 4th Floor, Chennai – 600 001.

2. The Deputy Revenue Officer,
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3. The Tahsildar,
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N. SATHISH KUMAR, J.

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