



WEB COPY



W.P. No.11063 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. No.11063 of 2024

Mrs.K.Saroja
W/o.Kumaran
Represented by her authorised Power Agent
Mr.K.Pattabiraman

... Petitioner

Vs

1.The District Collector
Chennai District Collectorate
4th Floor, M.Singaravelavar Maaligai
No.62, Rajaji Salai
Chennai - 600 001

2.The Thasildhar
Sholinganallur Taluk
Sholinganallur, Chennai

3.M/s.V.G.P. Housing Private Limited
Regd Office at VGP Square
No.6 Dharmaraja Koil Street
Saidapet, Chennai - 600 015
Represented by its Managing Director

4.Mrs.K.Saroja

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to cancel the Patta No.8443 dated 21.04.2023 issued by the 2nd respondent in the name of the 3rd respondent for lands comprised in S. No.75/1 measuring 85 cents and S. No.72 measuring 24 cents totalling 1 Acre 06 cents, situated at No.14, Injambakkam Village, Sholinganallur Village, Chengalpet Taluk.

For Petitioner : Ms.E.Ezhil Caroline

For Respondents : Mr.P.Sathish,
Addl. Govt. Pleader for R1 & R2

Mr.S.Karthik
for Mr.Arun C.Mohan for R3

ORDER

The petitioner seeks a direction to cancel the patta granted in favour of the third respondent.

2. It is the grievance of the writ petitioner that by creating a false document, a sale deed has been executed in favour of the third respondent and patta was also issued on the basis of the sale deed. In this regard, he has already



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filed a suit in O.S. No.106 of 2024 which is pending on the file of Principal District Judge, Chengalpet. Hence seeks a direction.

3. At the outset, this court is of the view that, as the very suit itself is filed for declaration to declare the sale deed executed in favour of the third respondent as null and void, till such suit is decided in favour of the petitioner, the revenue officials cannot be directed to go into the title and decide the patta. Hence the petitioner is directed to work out his remedy in the civil court. In the event, he succeeds in the civil court, thereafter, the revenue officials shall issue patta to the petitioner on the basis of the decree of the civil court.

4. With the above direction, the writ petition is disposed of. No costs.

27.06.2024

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

1.The District Collector

Chennai District Collectorate

4th Floor, M.Singaravelavar Maaligai

No.62, Rajaji Salai

Chennai - 600 001



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N.SATHISH KUMAR, J.

Asr

2.The Thasildhar
Sholinganallur Taluk
Sholinganallur, Chennai

3.The Government Pleader
High Court, Madras

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