



W.P.No.14481 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.05.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.14481 of 2024 &
WMP.No.15752 of 2024

Dalit Tiger C.Ponnusamy

...Petitioner

Vs.

- 1.The District Collector,
O/o the District Collector,
Vengikkal Village & Post,
Thiruvannamali Taluk &
District - 606604.
- 2.The District Revenue Officer,
O/o the District Revenue Officer,
Vengikkal Village & Post,
Thiruvannamali Taluk &
District - 606604.
- 3.The District Superintendent of
Police, O/o the District
Superintendent of Police,
Vengikkal Village,
Thiruvannamali Taluk &
District.
- 4.The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Office at Tindivanam Road,
(Opposite - Thanthai Periyar Statue),
Thiruvannamalai Town & Taluk,



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WEB COPY Thiruvannamalai District-606601.

5.The Deputy Superintendent of Police,
O/o the Deputy Superintendent of
Police, Thukkapeetai, Chengam
Town & Taluk, Thiruvannamalai
District-606709.

6.The Revenue Tahsildar,
O/o the Revenue Tahsildar,
Taluk Office, Chengam Town &
Taluk, Thiruvannamalai District.
606709.

7.The Deputy Tahsildar,
O/o the Deputy Tahsildar,
Taluk Office, Chengam Town &
Taluk, Thiruvannamalai District.
606709.

8.The Sub-Registrar,
O/o the Sub-Registrar,
Chengam Town & Taluk,
Thiruvannamalai District.
606709,

9.The Inspector of Police
(Law & Order), G2 Police Station,
Mel Chengam Village & Post,
Thiruvannamalai District-606710.

10.The Revenue Inspector,
O/o the Revenue Inspector,
Pachchal Revenue Village & Post,
Chengam Taluk, Thiruvannamalai
District-606704.

11.The Sub-Inspector of Police,



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G4 Police Station, Paichal Village
& Post, Chengam Taluk,
Thiruvannamalai District-606704.

12.The Village Administrative Officer,
Registrar of Birth & Death,
No.109, Melpennathur Revenue
Village, Pachchal Post,
Chengam Taluk, Thiruvannamalai
District-606704.

13.M/s.Five Star Business Finance
Ltd., New No.27, Old No.4,
Tailors Road, Kilpauk, Chennai-10.

14.The Branch Manager,
M/s.Five Star Business Finance Ltd.,
No.106, II Floor, Chinnakadai Street,
Opposite to Durgaiammak Koil,
Thiruvannamalai Town & Taluk,
Thiruvannamalai District-606601.

15.Mrs.R.Rameshwary

16.Mr.P.Chinnaraj

17.Mr.C.Shanmugam

18.Mrs.Saravanan

19.Mr.S.Muthukrishnan

20.Mrs.Ramakrishnan

21.Mrs.Sathiya

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the fourth respondent herein to direct the 6th and 7th respondents herein canceling the existed fabricated patta vide No.104/2021 dated 03.3.2021 on the file of the Revenue Tahsildar, Chengam, Thiruvannamalai District and the



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Deputy Tahsildar, Chengam Town & Taluk, Thiruvannamalai District against the housing land and superstructure of the petitioner's land at door No.157, Survey Nos.74/17 and 77/1B1A extension about 1173 sq.feet located at Mettu Street, Uchimalaikuppam Village, Paichal Post, Chengam Taluk, Thiruvannamalai District.

Petitioner	: Appearing in person
For Respondents	: Mr.G.Krishna Raja, AGP for Respondents 1, 2, 4, 6, 7, 10 & 12 Mr.A.Gopinath, GA (Crl. Side) for Respondents 3, 5, 9 & 11 Mr.L.S.M.Hasan Fizal, AGP for R8

ORDER

Heard the petitioner appearing in person, the learned Additional Government Pleader accepting notice for respondents 1, 2, 4, 6, 7, 10 and 12, the learned Government Advocate (Crl.Side) accepting notice for respondents, 3, 5, 9 and 11 and the learned Additional Government Pleader accepting notice for the eighth respondent. In view of the limited nature of relief this Court proposes to grant, notice to respondents 13 to 21 is dispensed with and the writ petition



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itself is taken up for final disposal.

2. The Tahsildar has granted patta to the 17th respondent. On the basis of patta, the settlement deed was executed and subsequently, there has been a mortgage of the property with the 13th respondent. The petitioner states that he is the owner of the property and the grant of patta in favour of the 17th respondent is improper. He would also state that no inquiry was conducted prior to the grant of patta in favour of the 17th respondent. Stating all these facts, he has preferred an appeal to the fourth respondent, which is still pending. Therefore, he has come forward with this writ petition for cancellation of patta.

3. The power to cancel the patta issued by the Tahsildar is with the fourth respondent. The petitioner having approached the fourth respondent by way of representations, in the fitness of things, the fourth respondent should be directed to dispose of the representations presented by the petitioner dated 11.5.2024 and 27.5.2024.



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4. Accordingly, the fourth respondent is directed to conduct an inquiry on the representations given by the petitioner on 11.05.2024 and 27.05.2024 and dispose of the same after hearing the 17th respondent or any other person interested in the property. The learned Additional Government Pleaders appearing for the respective respondents have no objection for the said course of action.

5. Accordingly, the writ petition is ordered. The fourth respondent shall conduct an inquiry in terms of the Patta Passbook Act and pass appropriate orders within twelve weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, W.M.P.No.15752 of 2024 is closed.

30.05.2024

Index : Yes/No
Neutral Citation : Yes/No

To

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O/o the District Collector,
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District - 606604.
- 2.The District Revenue Officer,



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O/o the District Revenue Officer,
Vengikkal Village & Post,
Thiruvannamali Taluk &
District - 606604.

- 3.The District Superintendent of
Police, O/o the District
Superintendent of Police,
Vengikkal Village,
Thiruvannamali Taluk &
District.
- 4.The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
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- 5.The Deputy Superintendent of Police,
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- 8.The Sub-Registrar,



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V.LAKSHMINARAYANAN, J

(rs/kpl)

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