



WEB COPY

W.P.No.17130 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.17130 of 2024

Hemalatha

...

Petitioner

versus

1.The District Collector,
Chennai District.

2.The Revenue Divisional Officer,
Chennai North, Chennai.

3.The Tahsildar,
Purasaiwalkam Taluk,
Chennai - 600 003.

4.R.Ashok Kumar

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to consider the representation of the petitioner dated 20.04.2024 in pursuance of cancellation of the patta issued in favour of the fourth respondent for old Survey Nos.103, 105 and 371, Survey No.1791, 1793 and 1794, New Survey No.1793/4, 1793/5 as per patta 1793/47 in Vepery Village, Chennai District.



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For Petitioner : Mr.K.V.Muthuvisakan
For Respondent Nos.1 to 3 : Mr.A.Selvendran
Special Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the third respondent to conduct enquiry in respect of the patta transfer, by considering the petitioner's representation dated 20.04.2024.

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

4. It is the case of the writ petitioner that during the pendency of the interim injunction, the property has been sold and patta has been transferred in the name of the private respondent.

5. I have perused the documents. It is seen that the suit is filed to set aside the document already executed. Such being the position, when the



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suit is pending before the Civil Court, the revenue authorities cannot be directed to conduct enquiry. The petitioner can very well establish the right in the Civil Court based on his right declared by the Civil Court he is entitled to approach the revenue authorities for cancellation of patta.

6. With these observations, this Writ Petition is disposed of. No costs.

02.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

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N.SATHISH KUMAR, J.

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