



WEB COPY



WP.No.20211 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.20211 of 2024

Annamalai

.. Petitioner

Versus

1.The District Collector
Tiruvannamalai, Tiruvannamalai District

2.The District Revenue Officer
Tiruvannamalai, Tiruvannamalai District

3.The Revenue Divisional Officer
Chengam, Tiruvannamalai District

4.The Tahsildar
Chengam Taluk, Tiruvannamalai District

5.Govindasamy

6.Anandan

7.Palani

8.Karthikeyan

9.Venkatesan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the wrongful entry and include the petitioner and his brother Settu and grant separate Patta with respect to properties viz. property admeasuring 2 acres out of 9.61 acres comprised in Survey No.27/1A and the Property admeasuring 2.27 acres comprised in Survey No.26/1C and the property admeasuring 1.18 acres comprised in Dry survey No.146/7 situated at Perumbakkam Village, Chengam Taluk, Tiruvannamalai District in



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accordance with the decree and judgement dated 06.10.2007 in O.S.No.21/2007 on the file of the Principal District Munsiff Court, Tiruvannamalai.

For Petitioner : Mr.R.Rangarajan
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed for a direction, directing the respondents 1 to 4 to remove the wrongful entry and include the petitioner and his brother Settu and grant separate Patta with respect to properties viz. property admeasuring 2 acres out of 9.61 acres comprised in Survey No.27/1A and the Property admeasring 2.27 acres comprised in Survey No.26/1C and the property admeasuring 1.18 acres comprised in Dry survey No.146/7 situated at Perumbakkam Village, Chengam Taluk, Tiruvannamalai District in accordance with the decree and judgement dated 06.10.2007 in O.S.No.21/2007 on the file of the Principal District Munsiff Court, Tiruvannamalai.

2. Heard both sides and perused the materials placed on record.

3. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.



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4. It is the case of the writ petitioner that the properties measuring 2 acres out of 9.61 acres comprised in Survey No.27/1A 2.27 acres comprised in S.No.26/1C and 1.18 acres comprised in Dry survey No.146/7 originally belonged to Gopal Chetty alias Karuppan Chetty. The father of the petitioner obtained a decree in O.S.No.168 of 1960 against the said Gopal Chetty. The properties were brought on auction and the property admeasuring 2 acres out of 9.61 acres was purchased by one Munusamy Pillai. The petitioner's father purchased 2 acres out of 9.61 acres was purchased subsequently by the petitioner's father. Subsequently, the petitioner's father purchased 2.27 acres and 1.18 acres were also brought by the petitioner on 25.04.1967. Patta is also given in the name of the petitioner's father in respect of the properties purchased on various dates.

5. In the meanwhile, the respondents 5 to 9 have created some fraudulent sale deed dated 21.02.2006, the same was challenged in O.S.No.21 of 2007 on the file of Principal District Munsif, Chengam. The suit was dismissed, however, on appeal in A.S.No.82/2007 on the file of Additional Sub Court, Tiruvannamalai and the same was allowed. The Second Appeal was filed against the petitioner in S.A.No.1068/2010 before this Court and the same was dismissed on 21.12.2023. Hence, in this regard, the petitioner has



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given a representation to remove the names of the private respondent, which is pending without consideration till date. Hence, this writ petition.

6. Considering the above aspects, as the decree and judgments are in favour of the petitioner and has reached finality, let the authorities consider the representation of the petitioner and pass appropriate order on merits and in accordance with law, by considering all the Civil Court decree which has reached finality. Such exercise shall be made within a period of three months from the date of receipt of a copy of this Order. The order shall be passed after hearing petitioner as well as the respondents 5 to 9/private respondents.

7. With the above, this writ petition stands disposed of. No costs.

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dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



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