



W.P. No.21141 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. No.21141 of 2024

S.Ranganathan

... Petitioner

Vs

1.The District Collector
District Collectorate Office
Kallakurichi

2.The Revenue Divisional Officer
Revenue Divisional Office
Kallakurichi

3.The Revenue Tashildar
Taluk Office
Sankarapuram - 606 401
Kallakurichi District

4.Pasupathi

5.Venkatesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to consider petitioner's representation dated 18.06.2024 seeking to cancel patta issued in favour of respondents 4 and 5.



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For Petitioner : Mr.S.N.Subramani

For Respondent : Mr.A.Selvendran

Spl. Govt. Pleader for R1 to R3

ORDER

This writ petition has been filed for a direction to the 2nd respondent to consider petitioner's representation dated 18.06.2024 seeking to cancel patta issued in favour of respondents 4 and 5.

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

3. It is the case of the writ petitioner that his father's brother one Narayana Udayar died on 05.08.2002 and his wife Ponnammal predeceased him. They have no issues. After their death, the petitioner is in possession and enjoyment of the property of Narayana Udayar. However, one Manikkammal claimed right over petitioner's property and produced fake legal heir certificate by proceedings of the 3rd respondent in Ni.Mu.A4/6020/2002 dated 24.9.2002 and used the same to sell Narayana Udayar's property without any right to the



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respondents 4 and 5. Thereafter, patta No.668 changed in the name of respondents 4 and 5. Petitioner had approached this court and filed a writ petition in W.P. No.5468 of 2015 seeking to cancel the fake legal heir certificate. This court, by its order directed the respondents to conduct an enquiry and take action. Subsequently, the 2nd respondent by his proceedings dated 04.10.2019 cancelled the legal heir certificate, but failed to cancel the patta issued in favour of respondents 4 and 5. Hence petitioner has made a representation dated 18.06.2024 to cancel patta standing in the name of respondents 4 and 5.

4. Considering the limited relief sought for in this writ petition, the second respondent is directed to consider the representation of the petitioner dated 18.06.2024 and pass appropriate orders on the petitioner's representation for cancellation of patta, on merits and in accordance with law, after giving notice to respondents 4 and 5 and the petitioner herein. Such exercise shall be completed within a period of two months from the date of receipt of copy of this order.



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5. Accordingly, the writ petition is disposed of. However, there is no order as to costs.

31.07.2024

Index : Yes / No
Neutral Citation : Yes / No
Asr

To

1.The District Collector
District Collector Office
Kallakurichi

2.The Revenue Divisional Officer
Revenue Divisional Office
Kallakurichi

3.The Revenue Tashildar
Taluk Office
Sankarapuram - 606 401
Kallakurichi District

4.The Government Pleader
High Court, Madras



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N.SATHISH KUMAR, J.

Asr

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