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W.P. No.21671 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.21671 of 2024

G.Dinesh Kumar

... Petitioner

Vs

1.The Revenue Divisional Officer
No.12b/36b Zonal Office 8 Ground Floor
Pulla Avenue, Shenoy Nagar
Chennai - 600 030

2.Tahsildar
Taluk Office, Aminjikarai
Chennai - 600 030

3.The Executive Officer
Arulmigu Ekambareshwarar Temple
Aminjikarai, Chennai - 600 029

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to restore patta in C.A. No.43 in the Extract of Town Survey Land Register with respect of property situated at T.S. No.16/1 and 16/2 Block No.25, Survey No.70A/3, Resurvey No.70/5, situated at Aminjikarai Village, Egmore Nungambakkam Taluk, Chennai District in favour of the petitioner.



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For Petitioner : Mr.S.Mahesh Kumar

For Respondent : Mr.P.Sathish
Addl. Govt. Pleader for R1 & R2
Mr.K.Karthikeyan,
Government Advocate for R3

ORDER

This writ petition has been filed for a direction to the second respondent to restore patta in C.A. No.43 in the Extract of Town Survey Land Register with respect to property situated at T.S. No.16/1 and 16/2 Block No.25, Survey No.70A/3, Resurvey No.70/5, situated at Aminjikarai Village, Egmore Nungambakkam Taluk, Chennai District in favour of the petitioner.

2. It is the case of the writ petitioner that he is the absolute owner of the property situated at T.S. No.16/1 & 16/2, Block No.25, Survey No.70A/3, Resurvey No.70/5 situated at Aminjikarai Village, Egmore Nungambakkam Taluk, through a settlement deed dated 26.10.2016. Petitioner's grandmother obtained title to the property in the year 1952 and she settled the property in favour of the petitioner in the year 2016. The revenue records were also



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mutated in favour of the petitioner. However, all of a sudden now the patta has been changed in the name of the third respondent temple without any notice or order and hence seeks a direction.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Government Advocate, appearing for the HR&CE department would submit that the orders have been passed and patta has been changed on the basis of the representation made by the petitioner. However, he would submit that the petitioner was also given proper opportunity and passed an order.

4. Considering the facts and circumstances of the case, in order to resolve the issue between the parties, this court directs, the second respondent to conduct an enquiry between the petitioner and the third respondent in terms of Section 10 of the Patta Passbook Act, 1983 and the parties concerned are directed to produce necessary documents before the second respondent within a period of two weeks from the date of receipt of a copy of this order, after which the second respondent/Tahsildar is directed to pass appropriate orders within a period of six weeks thereafter.



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

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Index : Yes / No

Neutral Citation : Yes / No

Asr

To

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4.The Government Pleader
High Court, Madras



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N.SATHISH KUMAR, J.

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