



W.P.No.22640 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22640 of 2024

and

W.M.P. No. 24672 of 2024

K.Ravichandran

... Petitioner

Vs

1. The District Collector,
Ranipet District – 632 401.
2. The Revenue Divisional Officer,
Ranipet District – 632 401.
3. The Block Development Officer,
Thimiri,
Ranipet District – 632 512.
4. The Tahsildar,
Arcot,
Ranipet District – 632 503.
5. The Divisional Engineer,
Highways Department,
Sholingur Road, Walajapet,
Ranipet District – 632 513.
6. P.Koteeswaran



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7. R.Prem Kumar

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari filed Mandamus, calling for the records of the first respondent dated 16.02.2022 in proceedings Na. Ka. C3/13757/2021 and set aside the same as illegal and direct the first to fifth respondents to remove the name of Rathina Mudaliyar in the Village 'A' register pertaining to the 'Pattai' land in Survey No. 201/1A of Punganur Village in Arcot Taluk, to the extent of 0.06.0 ares and consequentially to cancel the Patta No. 2932 which has been fraudulently obtained by the sixth and seventh respondents without any legal right over the land and to ensure the petitioner's right to access to his land through the public road viz., 'Ellasi Kudisai Road.

For Petitioner : Mr. A.Arulmozhi

For Respondents : Mr. A.Selvendran,
Special Government Pleader (for R1 to R5)

O R D E R



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This Writ Petition has been filed challenging the order dated 16.02.2022 passed by the first respondent, thereby the first respondent rejected the representation submitted by the petitioner seeking removal of the encroachment made by the sixth and seventh respondents in the access to the petitioner's patta land.

2. The petitioner owns the land comprised in Survey Nos. 196/3B and 197/2B to an extent of 1.29.5 acres. Likewise, the sixth and seventh respondents own the land comprised in Survey No. 201/1A. The case of the petitioner is that the sixth and seventh respondents have also encroached upon a portion of the land, which is the access to the petitioner's land and is classified as Pattai Poramboke.

3. The First respondent, on a perusal of the records, passed an order stating that the land comprised in Survey No. 201/1A, admeasuring 0.06.0 ares, belongs to the sixth and seventh respondents. However, the first respondent failed to consider that the sixth and seventh respondents had encroached on some portion of the adjacent property, which is classified as Pattai Poramboke, or not.



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4. In view of the above, the first respondent is directed to conduct an enquiry with regard to any encroachment by the sixth and seventh respondents in the adjacent land of their property, which is classified as Pattai Poramboke, after issuing notice to the petitioner and the sixth and seventh respondents herein, and after giving them an opportunity of hearing, and pass orders on merit and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index:Yes/No
Neutral Citation/Yes/No
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To

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Ranipet District – 632 401.

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2. The Revenue Divisional Officer,
Ranipet District – 632 401.

3. The Block Development Officer,
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G.K.ILANTHIRAIYAN, J.

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