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W.P.No.26171 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.26171 of 2024

Manohar
...Petitioner

Vs.

1. The Commissioner of Land Administration,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai, Pincode - 600 005.
2. The District Collector,
Cuddalore District, Cuddalore.
3. The Deputy Inspector General of Registration,
Manjakuppam, Cuddalore District,
4. The Revenue Divisional Officer,
Cuddalore, Cuddalore District.
5. The Tahsildar,
Panruti Taluk,
Cuddalore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to issue the patta in the name of petitioner in Ward B Block 13 Old Survey 86/2 New Survey No.122/2 situate at 78 Vadakailasam, Panruti Taluk, Cuddalore District based on the communication of the fifth respondent to the fourth respondent in



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Na.Ka.A.3/11910/2018 dated 29.09.2021.

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For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 3 and 4 to issue patta in his name in respect of the property in Ward B Block 13, Old Survey 86/2, New Survey No.122/2 situate at 78 Vadakailasam, Panruti Taluk, Cuddalore District based on the communication of the fifth respondent to the fourth respondent in Na.Ka.A.3/11910/2018 dated 29.09.2021.

2. According to the petitioner, the above mentioned property originally belonged to his grand father namely Chinnasami Jogi. He purchased the said property through a registered sale deed vide document No.264/1951. After the death of the petitioner's grandfather his father Nagamuthu Jogi inherited the property and the Government issued a patta in the name of his father in the year 1982. It is further stated by the petitioner that new patta has been issued in the name of the third party who has no right over the property. The petitioner therefore filed an application before the fourth respondent seeking



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cancellation of patta issued in the name of Jayachandran, S/o Narayanaswamy and others and to issue patta in his name. The application was forwarded to 5th respondent and he also submitted a report to the fourth respondent on 29.09.2021. Subsequently, the fourth respondent issued an enquiry notice to the petitioner as early as on 01.11.2021. However, till date no final order is passed. Hence, the petitioner is before this Court.

3. Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents submits that enquiry would be completed by the fourth respondent and final order would be passed on merits, within a time frame to be stipulated by this Court.

4. In view of the above submission of the learned Special Government Pleader, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the fourth respondent to complete the enquiry pursuant to the proceedings bearing No.Na.Ka.A7/4195/2021 dated 01.11.2021 and pass final order on its own merits, after issuing necessary notice to the petitioner and other interested parties and the above said Jayachandran, S/o Narayanaswamy, within a period of eight weeks from the



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date of receipt of a copy of this order.

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5. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

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S. SOUNTHAR, J.

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