



W.P.No. 36779 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.36779 of 2024

and

W.M.P.Nos.39694 and 39695 of 2024

1.Mr.Natarajan Samudiyappan
2.Mr.Ponnappan
3.Mr.Krishna Chinnaiyan
4.Mrs.Lakshmidevi
5.Mrs.Ammu Madheshwaran
6.Mrs.Mahalakshmi
7.Mrs.Manju
8.Mr.Periyasamy Govindan
9.Mrs.Jayalakshmi Ramamoorthy
10.Mr.Venakatesan Pachappan

... Petitioners

Vs

1.The Land Reform Commissioner,
Chepauk,
Chennai-600 005.

2.The District Collector,
Krishnagiri District-635 001.



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3.The District Revenue Officer,
Krishnagiri District-635 001.

4.The Revenue Divisional Officer (Authorised Officer),
Hosur,
Krishnagiri District.

5.The Sub-Collector (Authorised Officer),
Land Reforms,
Krishnagiri District.

6.Tahsildar,
Krishnagiri Taluk,
Krishnagiri District.

7.The Inspector General of Registration,
Santhome High Road,
Chennai-600 028.

8.The Sub-Registrar,
Krishnagiri,
Krishnagiri District.

9.The Superintendent Engineer,
TANGEDCO,
Krishnagiri District.

10.Mrs.Sasirekha

11.Mr.Rajadurai

12.Mr.Manjunath

13.Mrs.Kalaivani

14.Mr.Ansalam Richard

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent No.7 to cancel the Partition Deed vide Doc.No.1295 / 1960 dated 22.04.1960 which violates the Section 7 & 22 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961) and consequently direct the respondent No.1 to 8 to issue patta in favour of the petitioner in respect of his property viz., New No.45/8(Old 45/1) where extent of 47.57 acre, S.No.45/4, Extent, 1.40 acre in Krishnagiri District, Vepanapalli Sub Registrar Office, Kurubarapalli Village.

For Petitioners : Mr.Sivakumar Rajappan

For Respondents 1 to 6 : Mr.A.Selvendran
Special Government Pleader

For Respondents 7 & 8 : Mr.M.Shahjahan
Special Government Pleader

ORDER

The petitioner seeks a direction to the 7th respondent to cancel the Partition Deed vide Doc.No.1295 / 1960 dated 22.04.1960 which



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violates the Section 7 & 22 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961) and consequently direct the respondent Nos.1 to 8 to issue patta in favour of the petitioner in respect of his property viz., New No.45/8(Old 45/1) where extent of 47.57 acre, S.No.45/4, Extent, 1.40 acre in Krishnagiri District, Vepanapalli Sub Registrar Office, Kurubarapalli Village.

2. Heard the learned counsel for the petitioners and Mr.A.Selvendran, learned Special Government Pleader accepting notice for respondents 1 to 6 and Mr.M.Shahjahan, learned Special Government Pleader accepting notice for respondents 7 and 8.

3. In the light of the judgment of a Division Bench of this Court in the case of *M.Kathirvel Vs. Inspector General of Registration, Department of Registration and Others [reported in 2024 (4) CTC 769]*, the prayer sought for cannot be granted, as it has been held by the Division Bench that the Registering Authority has no power to cancel



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the document unilaterally.

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4. Accordingly, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

ssn

To

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2.The District Collector,
Krishnagiri District-635 001.

3.The District Revenue Officer,
Krishnagiri District-635 001.

5/7



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4.The Revenue Divisional Officer (Authorised Officer),
Hosur,
Krishnagiri District.

5.The Sub-Collector (Authorised Officer),
Land Reforms,
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ssn

6.Tahsildar,
Krishnagiri Taluk,
Krishnagiri District.

7.The Inspector General of Registration,
Santhome High Road,
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8.The Sub-Registrar,
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