



WEB COPY



W.P.No.33140 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.33140 of 2023

S.Ganesh Kumar
S/o.K.M.Subramanian

... Petitioner

versus

1. The District Revenue Officer
Revenue Divisional Office
Sriperumpudur.
2. The Tahsildar
Sriperumpudur.
3. B.Shobin
W/o.K.H.Dheen Mohammed
4. K.H.Dheen Mohammed
S/o.Hasan Mohammed

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to forthwith cancel the patta in Patta No.1729 granted in favour of the respondents 3 and 4 herein in respect of the property in Plot No.2, E.V.K. Park Avenue in Survey No.25/2A measuring an extent of 1575 sq.ft, Iyyanppanthangal, Chennai-56.

Pg.Nos.1/5



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For Petitioner : Mr.L.Palani Muthu
For Respondents : Mrs.V.Yamunadevi
Special Government Pleader
for R1 and R2
Mr.L.Infant Dinesh
for R3 and R4

ORDER

This writ petition has been filed seeking for a Mandamus directing the respondents 1 and 2 herein to forthwith cancel the patta in Patta No.1729 granted in favour of the respondents 3 and 4 herein in respect of the property at Plot No.2, E.V.K. Park Avenue in Survey No.25/2A measuring an extent of 1575 sq.ft, Iyyanppanthangal, Chennai-56.

2. The learned counsel for the writ petitioner submits that based on the complaint dated 24.11.2021 given by the petitioner before the District Registrar, Administration, South Chennai, an order dated 24.02.2023 came to be passed finding that the sale deed in favour of respondents 3 and 4 is a fraudulent document and the same was entered in the Register in the concerned Sub-Registrar's office. Thereafter, the petitioner sent a representation dated 16.03.2023 to the first respondent seeking to cancel the



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patta in favour of respondents 3 and 4 on the basis of the order dated 24.02.2023. The main grievance of the writ petitioner is that even though the petitioner made the representation on 16.03.2023, the same has not been considered by the official respondents so far.

3. The learned Special Government Pleader for the official respondents submits that the representation of the writ petitioner dated 16.03.2023 will be considered as expeditiously as possible.

4. Therefore, without expressing any view on the merits of the matter, this Writ Petition is disposed of with a direction to the official respondents to consider the representation dated 16.03.2023, after giving due opportunity of hearing to writ petitioner and private respondents / respondents 3 and 4 as well as rival claimants / interested parties, if any and pass orders on merits and in accordance with law. The petitioner and respondents 3 and 4 are directed to extend their fullest cooperation to the official respondents to complete the enquiry proceedings. Whole exercise shall be done by the official respondents within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

Pg.Nos.3/5



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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

1. The District Revenue Officer
Revenue Divisional Office
Sriperumpudur.
2. The Tahsildar
Sriperumpudur.

Pg.Nos.4/5



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P.VELMURUGAN, J.

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30.01.2024

Pg.Nos.5/5