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W.P.No.34862 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34862 of 2024

S.Rajendran

...Petitioner

Vs.

1.The Revenue Divisional Officer
Revenue Divisional Office,
Tiruvannamalai - 606601

2.The Tahsildar
Kilpennathur Taluk, Kilpennathur,
Tiruvannamalai District-606 611

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of

Mandamus, to direct the second respondent to remove the name of the petitioner in the joint patta No.1291 and restore the separate patta issued in favour of the petitioner in patta No.1276 in respect of Survey No.35/1C2 measuring an extent of 12 acres(30 cents) pursuant to the directions of the first respondent in O.Mu.No.A3/2304/2024 dated 31.5.2024.



For Petitioner : Mr. K.Magesh
For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

The Writ Petition is filed seeking a direction to the 2nd respondent to remove the name of the petitioner in the joint patta No.1291 and restore separate patta issued in favour of the petitioner in patta No.1276, in respect of Survey No.35/1C2, measuring an extent of 12 acres (30 cents) pursuant to the directions of the first respondent in O.Mu.No.A3/2304/2024 dated 31.05.2024.

2. It is the case of the petitioner that on 17.05.2023 he applied for survey and subdivision of his property in S.No.35/1A, measuring an extent of 30 cents to the 2nd respondent. Accordingly, the 2nd respondent subdivided the property and issued separate patta in Patta No.1276 in respect of S.No.35/1C2, in favour of the petitioner. Thereafter, without notice to the petitioner, the 2nd respondent cancelled the patta and included the petitioner's name in a joint patta in patta



No.1291.

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3. Aggrieved by the same, the petitioner filed an appeal before the 1st respondent. The 1st respondent forwarded the same to the 2nd respondent to consider the same and pass orders. However, the 2nd respondent did not conduct any enquiry in this regard. Therefore, the petitioner is before this court.

4. Heard the learned counsels on the either side and perused the records.

5. The petitioner has been granted separate patta in patta No.1276 in respect of S.No.35/1C2. However, without notice to the petitioner the 2nd respondent has cancelled the said patta and included the petitioner's name in the joint patta in patta No.1291.

6. Considering the above facts, a mandamus is issued to the 2nd



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respondent to delete the name of the petitioner in the joint patta in patta No.1291 and restore patta No.1276 in the name of the petitioner. The said exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order.

7. The Writ Petition is allowed. No costs.

26.11.2024

Index : Yes/No
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P.T. ASHA, J,

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