



WEB COPY



WP.No.35582 of 2024

In the High Court of Judicature at Madras

Dated : 29.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35582 of 2024 &
WMP.No.38459 of 2024

R.Umasankar

...Petitioner

Vs

- 1.The District Revenue Officer,
Office of the Collectorate,
Chengalpattu, Chengalpattu
District.
- 2.The Revenue Divisional Officer,
Office of the RDO, Chengalpattu,
Chengalpattu District.
- 3.The Tahsildar, Office of the
Tahsildar, Thirukazhukundram
Taluk, Chengalpattu District.
- 4.The Sub-Registrar, Office of the
SRO, Thirukazhukundram,
Thirukazhukundram Taluk,
Chengalpattu District.

5.R.Sekar

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to dispose the petitioner's appeal dated 13.9.2024 pending on the file of the second respondent preferred against the



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impugned order passed by the third respondent in Na.Ka.No.820/2024/B2 dated 06.9.2024 and dispose the same within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Arokiamaniraj
For R1 to R4 : Mr.S.Jayachandran, GA

ORDER

Aggrieved by the fact that his appeal petition filed before the second respondent challenging the patta issued in favour of the fifth respondent's father in the UDR Scheme, which the petitioner contends as a fake patta, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for respondents 1 to 4.

3. The case of the petitioner is as follows :

(i) The properties measuring 0.28.50 ares in S.F.No.23/3B and of a like extent in S.F.No.23/4B situated at Kunnathur Revenue Village, Thirukazhukundram Taluk, Chengalpattu District belonged to his grandmother - one Mrs.Poongavanam originally. During her lifetime, she had not encumbered the said properties in favour of anyone. She was allotted patta No.843. The petitioner's grandparents



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had two sons namely one Mr.Radhakrishnan - the father of the petitioner and one Mr.Ramajeyam - the father of the fifth respondent. The said Mr.Ramajeyam migrated to Chennai 40 years ago. After the death of the said Mr.Radhakrishnan and the said Mr.Ramajeyam, the petitioner had taken possession of the said properties and was in enjoyment of the same.

(ii) When the petitioner approached the third respondent for the transfer of patta in his name from the name of his grandmother, it came to light that a wrong entry was made in the revenue records with regard to the said properties and the patta was erroneously issued in favour of the father of the fifth respondent. Further, taking advantage of the wrong patta, the fifth respondent is attempting to create third party interest. Hence, the petitioner submitted a representation dated 10.11.2023 to the third respondent to cancel the patta issued in the name of the father of the fifth respondent. However, by the proceedings dated 06.9.2024, the third respondent rejected the request made by the petitioner.

(iii) Challenging the said proceedings dated 06.9.2024, the petitioner filed an appeal petition to the second respondent on 13.9.2024. As it did not evoke any response, the petitioner is before this Court.



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4. Considering the limited nature of the relief sought, the writ petition is allowed and a Mandamus is issued to the second respondent to dispose of the appeal dated 13.9.2024 preferred by the petitioner within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected WMP is closed.

29.11.2024

To

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RS



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