



WP.No.36090 of 2024

In the High Court of Judicature at Madras

Dated : 04.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36090 of 2024

Venkatappa

...Petitioner

Vs

1.The District Collector,
Collector Office Road,
Krishnagiri-635115.

2.The Tahsildar, Taluk Office,
Denkanikotta, Krishnagiri.
635107.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent herein to cancel the joint patta issued in patta No.764 in the name of the petitioner, Mr.Chinnaswamy and Mr.Munivenkatigan and issue individual patta in the name of the petitioner for the properties comprised in S.No.259/2 to an extent of 0.60 cents and in S.No.259/2 to an extent of 0.51 cents situated in Salivaram Revenue Village, Denkanikota Taluk, Krishnagiri District.

For Petitioner : Mr.S.Eshwar
For Respondents : Mr.P.Sathish, AGP



WP.No.36090 of 2024

ORDER

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Seeking a direction to the second respondent to cancel the joint patta in patta No.764 and to issue an individual patta in the name of the petitioner in respect of the properties comprised in S.No.259/2 to an extent of 0.60 cents and another extent of 0.51 cents situated in Salivaram Revenue Village, Denkanikota Taluk, Krishnagiri District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondents.

3. The case of the petitioner is as follows :

(i) The petitioner claims to be the owner of the properties measuring an extent of 0.60 cents out of acres 4.08 cents and another extent of 51 cents out of 4.08 cents both in S.No.259/2 situated at Salivaram Revenue Village, Denkanikota Taluk, Krishnagiri District. He acquired the said properties by way of two separate sale deeds respectively (i) dated 14.7.1977 registered as doc.No.1030 of 1977 from one Mr.Venkataraman and (ii) dated 01.12.1977 registered as doc.No.1925 of 1977 from one Mrs.Sarojamma and one Mr.C.Narayanappa, both on the file of the Sub-Registrar, Denkanikota.



WP.No.36090 of 2024

(ii) Ever since the dates of purchase, the petitioner has been in possession and enjoyment of the said properties. During the year 1983, he left the village in search of his livelihood. Taking advantage of his absence, a joint patta was issued by the second respondent in respect of the said properties including the names of one Mr.Chinnaswamy and one Mr.Munivenkatigan. Out of a total extent of acres 4.08 cents, the petitioner purchased only acre 1.11 cents. Hence, the question of issuing a joint patta does not arise since the said properties were within the specified boundaries.

(iii) The issuance of a joint patta had come to the knowledge of the petitioner only in July 2024 when he decided to execute a sale deed in favour of his grandson. Immediately, the petitioner sent a representation dated 12.7.2024 to the respondents and also the Village Administrative Officer, Salivaram Revenue Village, Denkanikota Taluk, which has not seen the light of the day till date. Hence the writ petition.

4. Taking note of the limited request, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the petitioner's representation dated 12.7.2024 for the cancellation of the joint patta in patta No.764 and for the issuance of an individual patta in the name of the petitioner in respect of the said properties and pass



WP.No.36090 of 2024

appropriate orders. In case of any rejection, a speaking order shall be passed. This exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. No costs.

04.12.2024

To

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Krishnagiri-635115.

2.The Tahsildar, Taluk Office,
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RS



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WP.No.36090 of 2024

P.T.ASHA,J

RS

WP.No.36090 of 2024

04.12.2024