



W.P.No.36522 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 36522 of 2024

A.Kalyanasundaram

...Petitioner

Vs.

1.The District Collector
Kancheepuram District,
Kancheepuram-631 501.

2.The Revenue Divisional Officer
Kancheepuram-631 501.

3.Tahsildar
Uthiramerur Taluk,
Uthiramerur - 603 406,
Kancheepuram District.

4.K.Kasthuri

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 3rd respondent to cancel the 2 nos. of pattas issued in the name of the 4th respondent comprised in S.No. 73/2 with



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an extent of 0.11 cents and in S.No. 105/7 with an extent of 0.02 cents out of 0.40 cents and issue patta in the name of the petitioner for the said 2 nos. of lands comprised in S.no. 73/2 with an extent of 0.11 cents and in S.no. 105/7 with an extent of 0.02 cents out of 0.40 cents of Annathoor Village in Uthiramerur Taluk, Kancheepuram District.

For Petitioner : Mr. R.Krishnaswamy
For Respondents : Mr. A.Selvendran
1 to 3 Special Government Pleader.

ORDER

Seeking the following relief, the petitioner has approached this Court:

“To directing the 3rd respondent to cancel the 2 nos. of pattas issued in the name of the 4th respondent comprised in S.No. 73/2 with an extent of 0.11 cents and in S.No. 105/7 with an extent of 0.02 cents out of 0.40 cents and issue patta in the name of the petitioner for the



said 2 nos. of lands comprised in S.no. 73/2 with an extent of 0.11 cents and in S.no. 105/7 with an extent of 0.02 cents out of 0.40 cents of Annathoor Village in Uthiramerur Taluk, Kancheepuram District.

2. It is the contention of the petitioner that the properties totally measuring an extent of 2 acres 29 cents had been settled in his favour by his father, under a registered settlement deed dated 27.09.1980. On 06.10.1980, the petitioner's father executed two settlement deeds in favour of the petitioner's elder brother one Arjunan and another in favour of the petitioner's deceased brother, one Gandeegan, the husband of the 4th respondent, herein.

3. The said Arjunan's property measures, East – West – 21 ft., North to South – 35 ft., aggregating in all 735 Sq.ft, which lies on the western side of the petitioner's property comprised in S.No.73/2. The property of the said Gandeegan is measuring East to West – 23 ft., and North to South – 30 ft.



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4. The 3rd respondent, Tahsildar who surveyed and measured the property, instead of issuing patta for the respective property has issued wrong patta to each of them. The patta in respect of the petitioner's properties has been issued to Gandeepan i.e., an extent of 11 cents in S.No.73/2 and 2 cents in S.No.105/7. The patta in respect of Gandeepan has been issued to Arjunan and the 3rd respondent has not issued any patta to the petitioner with reference to his lands.

5. The petitioner had issued several letters to the respondents to correct the mistake. After the death of Gandeepan in the year 2000, the patta has been transferred in favour of his wife, the 4th respondent by the 3rd respondent, totally overlooking the various representations of the petitioner. Therefore, since his representation has not been considered the petitioner is before this Court.

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



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7. Considering the limited request made by the petitioner, namely, to consider his representation, a mandamus is issued directing the 3rd respondent to consider the representations of the petitioner dated 25.07.2023 onwards and pass orders within a period of 12 weeks from the date of receipt of a copy of this order.

8. The Writ Petition is allowed. No costs.

09.12.2024

Index : Yes/No
Internet : Yes/No
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To

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