



W.P.No.36337 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Writ Petition No.36337 of 2023
and WMP.No.36318 of 2023

1. S.Thendral

S/o.Late C.Selvaraj

2. Mrs.K.Malarkodi,

W/o.C.Kalaichelvan

... Petitioners

vs.

1. District Revenue Officer,

Chengalpattu, Chengalpattu Division.

2. Revenue Divisional Officer,

Tambaram, Chengalpattu District.

3. Tahsildar,

Vandalur Taluk, Chengalpattu District.

4. Tmt.Rani

5. Tmt.Sankari

6. Tmt. N.Valarmathi

7. Tmt.N.Charulatha

8. Tmt.Jayashree

9. Pugazhendhi

10. Manivannan

.....Respondents



W.P.No.36337 of 2023

Writ Petition filed under Article 226 of Constitution of India,

praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining impugned order passed by the 1st respondent dated 20.11.2023, vide proceedings in Na.Ka.10479/2023/A4 and the consequential proceeding issued by the 3rd respondent vide Na.Ka.No.500/2023/Aa1, dated 07.12.2023, and quash the same and direct respondents 1 to 3 to restore patta No.2854 in the names of the legal heirs of late C.Selvaraju for 2 acres 6 cents in S.Nos.312/1B, 315/6, 315/8 and 312/2 and to restore the patta No.3669 for 26 cents in S.No.312/2 in the name of the 2nd petitioner for the lands in Saathankuppam Village, Chengalpet District and pass necessary order.

For Petitioner : Mr.B.Balavijayan

For Respondents : Mr.T.Arunkumar
Additional Govt. Pleader [R1 to R3]

Mr.P.S.Prabhu [R4 to R10]

ORDER

This Writ Petition has been filed to quash the impugned order passed by the 1st respondent dated 20.11.2023, vide proceedings in Na.Ka.10479/2023/A4 and the consequential proceedings issued by the 3rd respondent vide Na.Ka.No.500/2023/Aa1, dated 07.12.2023 and



W.P.No.36337 of 2023

consequently, direct the respondents 1 to 3 to restore patta No.2854 in

the names of the legal heirs of late C.Selvaraju for 2 acres 6 cents in

S.Nos.312/1B, 315/6, 315/8 and 312/2 and to restore the patta No.3669

for 26 cents in S.No.312/2 in the name of the 2nd petitioner in respect of

the lands in Saathankuppam Village, Chengalpet District.

2. The case of the petitioners is that the first petitioner's father purchased 2 acres 6 cents of land in S.Nos.312/1B, 315/6, 315/8 and 312/2 vide a registered sale deed and he has been in continuous possession and enjoyment of the lands from the date of purchase and the revenue documents were also mutated in his name and Patta was also granted in his favour vide Patta No.2854. The second petitioner has purchased 26 cents in S.No.312/2 and patta No.3669 was also granted to her. On 23.11.2013, the pattas granted to the first petitioner's father and second petitioner were cancelled by the third respondent, against which, writ petitions in W.P.Nos.34189 and 34190 of 2023 were filed before this

Court and the aforementioned writ petitions came to be allowed on



W.P.No.36337 of 2023

27.08.2021 with a direction to file an appeal before the first respondent.

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The fourth respondent herein filed an appeal before the first respondent and the same came to be allowed vide impugned order dated 20.11.2023 by directing the third respondent to cancel the pattas issued in favour of first petitioner's father and second petitioner herein. Aggrieved by the same, the present writ petition has been filed before this Court.

3. Learned counsel for the petitioners submits that the first respondent has cancelled the pattas without giving notice to the petitioners. He further submitted that if at all any changes have to be made in the patta, the District Revenue Officer has to issue notice to the concerned parties and after conducting enquiry only necessary changes have to be made.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the District Revenue Officer in his proceedings dated 20.11.2023 has cancelled the pattas stood in the name



W.P.No.36337 of 2023

of the first petitioner's father and second petitioner and also directed the petitioners and the respondents 4 to 6 to produce all necessary documents to prove their right over the property before the Thasildar, who shall after verifying the documents filed by the parties, make necessary changes in the patta. Pursuant to the said proceedings, Thasildar, Vandalur has issued notice dated 07.12.2023 to the petitioners and the respondents 4 to 6 to produce all necessary documents before him on 22.12.2023.

5. Heard both sides and perused the materials placed before this Court.

6. It is seen that as per the directions of the first respondent, the third respondent has already issued notice dated 07.12.2023 to the petitioners and the respondents 4 to 6 to appear for an enquiry at 3.00 p.m. on 22.12.2023 along with necessary documents to prove their claim.

Hence, this Court does not find any illegality in the order passed by the first respondent dated 20.11.2023.



W.P.No.36337 of 2023

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7. Considering the facts and circumstances of the case on hand, the third respondent is directed to issue fresh notice to the petitioners and respondents 4 to 6 to appear for an enquiry and the petitioners and respondents 4 to 6 are directed to appear before the third respondent along with necessary documents. After production of the documents, the third respondent shall conduct an enquiry in the manner known to law and pass orders on merits and in accordance with law within a period of six(6) weeks from the date of receipt of a copy of this order.

With these directions, this writ petition is disposed of. No costs.

Connected miscellaneous petition is closed.

21.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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W.P.No.36337 of 2023

To

1. District Revenue Officer,
Chengalpattu, Chengalpattu Division.
2. Revenue Divisional Officer,
Tambaram, Chengalpattu District.
3. Tahsildar,
Vandalur Taluk, Chengalpattu District.



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W.P.No.36337 of 2023

P.VELMURUGAN, J.

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W.P.No.36337 of 2023

21.02.2024