



WP.No.1307 of 2025

WEB COPY

In the High Court of Judicature at Madras

Dated : 22.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1307 of 2025

S.Ravichandran

...Petitioner

Vs

1.The District Collector
Tiruvallur District
Tiruvallur.

2.The District Revenue Officer
Tiruvallur District, Tiruvallur-1.

3.The Revenue Divisional Officer
Tiruvallur District, Tiruvallur-1.

4.The Tahsildar, Uthukottai Taluk
Uthukottai-602026.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 4th respondent to consider and dispose of the representation of the petitioner dated 11.10.2024 seeking patta in respect of old Survey No.578/10, present Survey No.1004/23 of Kannigaipair Village, Uthukottai Taluk, Tiruvallur District, based on the judgment and decree passed in O.S.No.73 of 2007 dated 25.3.2024 on the file of the District Munsif-cum-Judicial Magistrate Court, Uthukottai, Thiruvallur District.



WEB COPY



WP.No.1307 of 2025

For Petitioner : Mr.S.Angamuthu
For Respondents : Mr.M.R.Gokul Krishnan, AGP

ORDER

Seeking a direction to the fourth respondent to consider and dispose of his representation dated 11.10.2024 seeking to issue a patta in the names of both the petitioner and his brother - one Mr.K.S. Selvaganapathy in respect of the property in old Survey No.578/10, present Survey No.1004/23 of Kannigaipair Village, Uthukottai Taluk, Tiruvallur District pursuant to the judgment and decree passed in O.S.No.73 of 2007 dated 25.3.2024 on the file of the District Munsif-cum-Judicial Magistrate Court, Uthukottai, Thiruvallur 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 subject property, which is a natham house site, together with a tiled house belongs to the petitioner and his brother - the said Mr.K.S.Selvaganapathy. In 1990, the Government decided to issue patta to the original occupants of the natham house sites. When the process was going on, one Mr.C.Sabapathy, who is none other than his



WP.No.1307 of 2025

WEB COPY

half brother, filed a civil suit in O.S.No.159 of 1989 on the file of the District Munsif Court, Tiruvallur seeking partition of the subject property and other properties against the petitioner and 8 others and it was decreed on 25.11.1996. But, the appeal filed by defendants 1 to 6 therein in A.S.No.19 of 1997 before the Sub-Court, Tiruvallur was allowed vide judgment and decree dated 05.12.1997 and confirmed in S.A.No.1890 of 1988 by this Court vide judgment and decree dated 21.4.2006.

(ii) Meanwhile, one Mr.C.U.Velmurugendran obtained patta for an extent of 588 sq.meter in the subject property vide proceedings of the fourth respondent dated 09.11.1993. Aggrieved by that, the petitioner filed W.P.No.12554 of 2003 before this Court and further sought a direction to the respondents therein not to interfere with the peaceful possession and enjoyment of the petitioner. The said writ petition was disposed of on 15.3.2004 by quashing the proceedings dated 09.11.1993 and the matter was remanded to the fourth respondent for a fresh consideration after affording an opportunity to both the petitioner as well as the said Mr.C.U.Velmurugendran.

(iii) Pursuant to the orders of this Court in the said writ petition, the fourth respondent conducted an inquiry and passed orders on 04.8.2004 advising the parties to renew the application for patta after disposal of the court cases. During the interregnum period, the



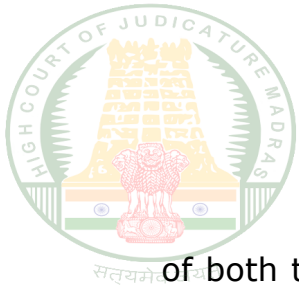
WP.No.1307 of 2025

petitioner, his mother and brother also filed a civil suit in O.S.No.128 of 2003 on the file of the District Munsif Court, Tiruvallur against the said Mr.C.U.Velmurugendran and it was subsequently transferred to the file of the District Munsif-cum-Judicial Magistrate, Uthukottai and renumbered as O.S.No.73 of 2007, which ended in a compromise decree passed on 25.3.2024.

(iv) Thereafter, the petitioner sent a representation dated 11.10.2024 to the respondents seeking to issue patta to him and his brother pursuant to the said compromise decree dated 25.3.2024. However, no action has been taken on the same, which constrained the petitioner to come before this Court with the present writ petition.

4. In the considered view of this Court, the legal battle started in the year 1989 and till date, the petitioner and his brother are not able to secure the patta in respect of the subject property. Already there are two rounds of litigation. Hence, this Court has no other option except to direct the fourth respondent to consider the said representation of the petitioner within a time frame.

5. Accordingly, the writ petition is allowed and a Mandamus is issued to the fourth respondent to consider the said representation of the petitioner dated 11.10.2024 for the issuance of patta in the names



WP.No.1307 of 2025

of both the petitioner as well as his brother pursuant to the judgment and decree in O.S.No.73 of 2007 on the file of the District Munsif-cum-Judicial Magistrate, Uthukottai dated 25.3.2024 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.

22.1.2025

To

1.The District Collector
Tiruvallur District
Tiruvallur.

2.The District Revenue Officer
Tiruvallur District
Tiruvallur-1.

3.The Revenue Divisional Officer
Tiruvallur District
Tiruvallur-1.

4.The Tahsildar
Uthukottai Taluk
Uthukottai 602 026.

RS



WEB COPY



WP.No.1307 of 2025

P.T.ASHA,J

RS

WP.No.1307 of 2025

22.1.2025