



WP.No.1247 of 2025

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In the High Court of Judicature at Madras

Dated : 22.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1247 of 2025

K.Ramasamy

Vs

...Petitioner

1.The District Collector
District Collector Office
Namakkal.

2.The Revenue Divisional Officer
O/o the Revenue Divisional
Officer, Namakkal.

3.The Tahsildar
Rasipuram Taluk Office
Rasipuram, Namakkal District.

4.The Revenue Inspector
Rasipuram, Namakkal District.

5.The Village Administrative Officer
O/o the Village Administrative Officer
Vadugam Village, Rasipuram Taluk
Namakkal District.

6.Panneer
7.Ilayaraja

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to consider and dispose the petitioner's representations dated



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11.8.2021 and 13.11.2024 and thereby to cancel the patta issued in the name of the 6th Respondent as well as the subsequent patta, which was transferred in the name of the 7th Respondent vide Patta No.718 in respect of the property bearing Survey No.79/5 situated at Vadugam Village, Rasipuram Taluk, Namakkal District within the time limit to be stipulated by this Court.

For Petitioner : Mr.M.Vijayaraghavan
For R1 to R5 : Mr.A.Selvendran, AGP

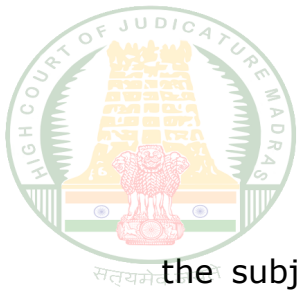
ORDER

Seeking a direction to respondents 2 and 3 to consider his representations dated 11.8.2021 and 13.11.2024 to cancel the patta issued in favour of respondents 6 and 7 in respect of the property bearing Survey No.79/5 situated at Vadugam Village, Rasipuram Taluk, Namakkal District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for respondents 1 to 5.

3. The case of the petitioner is as follows :

(i) The petitioner and his brother - one Mr.Kandasamy purchased



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the subject property vide sale deed dated 13.12.1995 registered as doc.No.2890 of 1995 on the file of the Sub-Registrar, Rasipuram for a valid sale consideration. After purchase, they were in possession and enjoyment of the subject property. When the petitioner and his brother were away from the subject property due to their nature of work, the sixth respondent encroached upon the subject property and fraudulently got his name included in the joint patta. Later, the sixth respondent executed a settlement deed dated 22.6.2016 registered as doc.No. 2845 of 2016 in favour of the seventh respondent, who is none other than his son. Thereafter, the patta also was transferred in the name of the seventh respondent.

(ii) The petitioner came to know that the seventh respondent is attempting to create an encumbrance over the subject property. The petitioner is also taking steps to file a suit for declaration and for recovery of possession before the competent civil court. Further, expressing his grievance, the petitioner made a representation dated 11.8.2021 to the third respondent seeking to cancel the patta issued to respondents 6 and 7 and it was forwarded to the fourth respondent vide proceedings dated 01.10.2021 to send a report after conducting an inquiry. As nothing was forthcoming, the petitioner made another representation dated 13.11.2024 to respondents 1 and 2 and also to the District Revenue Officer, Namakkal seeking to take necessary



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action. Even thereafter, the matter has been kept in cold storage.

Hence the writ petition.

4. Considering the limited nature of the relief sought, the writ petition is allowed and a Mandamus is issued to the third respondent to consider the representation of the petitioner dated 11.8.2021 for cancellation of the patta issued to both respondents 6 and 7, on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

22.1.2025

To

- 1.The District Collector
District Collector Office
Namakkal.
- 2.The Revenue Divisional Officer
O/o the Revenue Divisional Officer
Namakkal.
- 3.The Tahsildar
Rasipuram Taluk Office
Rasipuram, Namakkal District.
- 4.The Revenue Inspector
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- 5.The Village Administrative Officer
O/o the Village Administrative Officer
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