



W.P.No.2286 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2025

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CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2286 of 2025

R.Karthik Kumar

... Petitioner

Vs

1.The District Revenue Officer
Krishnagiri District
Krishnagiri.

2.The Sub Collector
Hosur
Krishnagiri District.

3.The Tahsildar
Soolagiri Taluk
Soolagiri
Krishnagiri District.

4.R.Subramani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first



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respondent herein to dispose of the revision petition dated 04.09.2024 filed by the petitioner for cancelling the patta issued in the name of the fourth respondent herein and to issue patta in the name of the petitioner in respect of his lands measuring 0.02 cents in S.F.No.70/1A2 situate at Nallakanakothapalli Village, Soolagiri Taluk, Krishnagiri District, within a stipulated period and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.V.Govi Ganesan
For Respondents : Mr.R.P.Murugan Raja
Government Advocate [R1 to R3]

ORDER

Since the revision petition dated 04.09.2024 filed by the petitioner for cancelling the patta issued in the name of the fourth respondent herein and to issue patta in his name in respect of his lands measuring 0.02 cents in S.F.No.70/1A2 situate at Nallakanakothapalli Village, Soolagiri Taluk, Krishnagiri District, has not been taken up for consideration by the first respondent, the petitioner is before this Court.



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2. According to the petitioner, an extent of 0.13.0 hectares in S.F.No.70/1A2 at Nallakanakothapalli Village, Soolagiri Taluk, Krishnagiri District originally belonged to his grandfather, who vide settlement deed dated 11.12.2008, settled 0.07 cents in favour of petitioner's father Ramamurthy. In 2017, his father Ramamurthy alienated 0.05 cents in favour of Sundarraaj and settled 0.02 cents in favour of the petitioner. The petitioner had made an online application for issuing separate patta on 12.12.2022. However, it came to the knowledge of the petitioner that the subject land was erroneously subdivided and patta was issued in favour of fourth respondent. Pursuant to which, the petitioner preferred a petition in W.P.No.3585/2023 before this Court for cancellation of sub-division, and obtained an order of this Court on 08.02.2023.

3. Thereafter, the petitioner preferred an appeal before the second



respondent on 09.01.2023, and the second respondent vide proceedings dated 31.05.2024, dismissed the said appeal on the ground that the patta in the name of the fourth respondent was issued after due verification of the documents. It also states that the fourth respondent had obtained the property from the grandfather of the petitioner, prior to the settlement that his grandfather had executed in favour of the petitioner's father. The petitioner therefore preferred a revision petition before the first respondent on 04.09.2024, and the same is pending consideration on his file to date. Hence, the present petition for mandamus to the first respondent.

4. Heard the learned counsel on either sides.

5. Considering the fact that the first respondent who is the Competent Authority to take action on the revision petition filed by the petitioner on 04.09.2024, has kept the same pending till date, there appears to be a failure on his part to perform his statutory duty.



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Therefore, this Court deems it appropriate to direct the first respondent to consider the said revision petition filed by the petitioner.

6. The writ petition is accordingly allowed and a mandamus is issued to the first respondent to consider and pass orders on the revision petition dated 04.09.2024 filed by the petitioner. It is needless to state that notice shall be issued to the petitioner as well as to the private respondent / fourth respondent, and upon receiving any objections from the private respondent, the first respondent shall hold an enquiry and pass a speaking order, after affording a personal hearing to the parties. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

31.01.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
ds



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