



W.P.No.2109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.2109 of 2025

D.Chandrasekar

...Petitioner

Vs

1.The District Collector
Collectorate Office
Chengalpattu District.

2.The District Revenue Officer
Collectorate Office
Chengalpattu District.

3.The Revenue Divisional Officer
Chengalpattu
Chengalpattu District.

4.The Tahsildar
Thiruporur Taluk
Chengalpattu District

5.M.P.Chandirasekaran

6.C.Susila

7.G.Kirubakaran

8.S.Jayashree

...Respondents



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PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue Writ of Mandamus, directing the respondents 2 to 4 to consider the petitioner's representation dated 12.05.2024 by conducting appropriate enquiry and consequently cancel the illegal transfer of patta in the name of respondents 5 to 8 made without notice to the petitioner and restore patta No.875 in survey No.8/6 in the name of the petitioner within a time limit as may be fixed by this Court.

For Petitioner : Mr.S.Rajasekar
For Respondents : Mr.A.Selvendran
Special Government Pleader
(For R1 to R4)

ORDER

The Writ Petition has been filed for the following relief:-

To direct the respondents 2 to 4 to consider the petitioner's representation dated 12.05.2024 by conducting appropriate enquiry and consequently cancel the illegal transfer of patta in the name of respondents 5 to 8.

2.The petitioner would contend that he is an overseas citizen of India residing in the United States of America. He had purchased plot No.7, measuring an extent of 21.57 cents comprised in old Survey No.8/2BPart, New Survey Nos.8/2B1G, 8/2B1H, 8/2B1I, 8/2B1J,



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8/2B1K, 8/2B1L & 8/2B1M at Kanathur Reddi Kuppam village, Chengalpattu Taluk, Kancheepuram District, under a registered sale deed dated 04.12.2003. The property is enclosed with compound wall and the petitioner has been in possession since the purchase. There was also an electricity connection in the said property.

3.The petitioner being an absentee landlord had appointed a security person to manage the property and during his visits to India. In May 2024, the petitioner came to learn that the fifth respondent had fraudulently settled the said property in favour of his wife/6th respondent herein, under a settlement deed in September 2022. Thereafter, the sixth respondent had transferred the property to respondents 7 and 8.

4.Coming to learn about this illegal activity, the petitioner has submitted the representation to the authorities on 12.05.2024 to cancel the fraudulent patta and restore the patta in his name. No action has been taken till date. Aggrieved by this in action, petitioner is before this Court.



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5. Heard the learned counsels on either side and perused the materials. Mr.A.Selvendran, the learned Special Government Pleader takes notice for R1 to R4.

6. The Writ Petition is disposed of at the admission stage, no notice to the fifth respondent, since the only request by the petitioner is to consider his representation seeking cancellation of the patta standing in the name of respondents 5 to 8.

7. The narration of events shows that after an initial enquiry on September 2024, no further action has been taken. Petitioner has approached the respondents 2 to 4 highlighting the fraud that has been pledged and how persons who have no right, title of interest over the property by mutating the patta, got the property transferred in their name. Therefore, a mandamus is issued to the fourth respondent to consider the representation dated 12.05.2024 of the petitioner and pass orders after hearing the petitioner as well as the respondents 5 and 6 by granting them a personal hearing and pass orders within a period of eight weeks from the date of receipt of copy of this order.



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WEB COPY 8. Accordingly, the Writ Petition is allowed with the above directions. No costs.

24.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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