



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3300 of 2025

Mrs.Sunandha
Vs.

..Petitioner

1. The District Collector,
Office of the District Collector,
Collectorate, Hosur road,
Krishnagiri District.

2. The Tahsildhar,
Hosur Tahsildhar Office,
Hosur, Krishnagiri District.

3. Mr.Krishnappa

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the petitioner's application dated 06.06.2024 with a personal hearing and to finalize proceedings within a stipulated time frame.

For Petitioner : Mr.P.G.Thiyagu

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 and R2 and R4



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ORDER

The Revenue Divisional Officer, Hosur, is suo-motu impleaded as the 4th respondent in this writ petition.

2. This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to consider the application submitted by the petitioner on 06.06.2024 wherein the petitioner is seeking for cancellation of patta that stands in the name of the 3rd respondent and issuance of fresh patta in the name of the petitioner with respect to the subject property.

3. Heard Mr.P.G.Thiyagu, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for respondents 1, 2 and 4.

4. The case of the petitioner is that the subject property belongs to the petitioner by virtue of a registered Sale deed dated 26.10.2023 registered as document No.19972 of 2023. There was some error in the document and



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hence, a rectification deed was executed on 10.02.2024. The property in question is an agricultural land. The further case of the petitioner is that the patta has been erroneously granted in favour of the 3rd respondent, who does not have any right over the property. In view of the same, the petitioner submitted an application before the 2nd respondent seeking for cancellation of the patta granted in favour of the 3rd respondent and for issuance of a fresh patta in favour of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court.

5. In the considered view of this Court, if the patta granted in favour of the 3rd respondent has to be cancelled, an appeal has to be filed before the Revenue Divisional Officer, under Section 12 of the Patta Passbook Act. It is only the RDO, who has the power and jurisdiction to cancel the patta granted by the Tahsildar and for issuing consequential directions.

6. In view of the above, there shall be a direction to the petitioner to submit a fresh application before the RDO, Hosur, seeking for the cancellation of patta issued in favour of the 3rd respondent and for issuance of a



fresh patta in favour of the petitioner. On receipt of this application, the RDO shall issue notice to the 3rd respondent and hear both the parties and pass final orders on its merits and in accordance with law within a period of 12 weeks from the date of receipt of the fresh application from the petitioner.

7. This writ petition is disposed of with the above directions.

No costs.

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

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Collectorate, Hosur road,
Krishnagiri District.
2. The Tahsildhar,
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N. ANAND VENKATESH, J.
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