



WEB COPY



W.P.No.3483 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.3483 of 2025

T.Shanmugham

.... Petitioner

-Vs-

- 1.The District Collector
Office of the District Collector
Ranipet.
- 2.The Revenue Divisional Officer
Arakonam.
- 3.The Tahsildar
Nemili Taluk, Ranipet District.
- 4.The Village Administrative Officer
Peruvalayam Village
Nemili Taluk
Ranipet District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 01.01.2025 in respect of the property situated at Peruvalayam Village, Nemili Taluk, Ranipet District comprised in 562/6 to an extent of 1.60 Acre.

For Petitioner : Mr.Mr.V.Sathish Kumar

For Respondents : Mr.P.Sathish
Additional Government Pleader



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ORDER

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This writ petition has been filed for the issue of a Writ of Mandamus, directing the 3rd respondent to consider the representation made by the petitioner on 01.01.2025, forbearing the 3rd respondent from transferring the patta in the name of third parties and to issue patta in his name with respect to the subject property.

2.Heard Mr. Sathish Kumar, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents.

3.The petitioner is claiming right by virtue of a sale agreement dated 25.05.2022. According to the petitioner, the owner of the property received the entire sale consideration and thereafter, the sale deed was not executed. The owner of the property executed a sale deed in favour of one George Antony on 03.10.2002. The said George Antony once again executed a sale deed dated 27.12.2024. According to the petitioner, he is the owner of the property by virtue of the sale agreement and hence he made a representation to the respondents not to transfer the patta in the name of third parties.

4.The above claim made by the petitioner is unsustainable since the agreement holder can never claim an absolute right over a property and more particularly where he has not chosen to get the agreement specifically enforced by filing a suit before a



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competent Civil Court. The petitioner instead of filing the case before the Civil Court, he is now attempting to agitate the same before the revenue authorities. The representation made by the petitioner forbearing the 3rd respondent from transferring the patta, will virtually prevent the statutory authority from performing his function and no such mandamus can be issued.

5.This Court does not find any merits in this writ petition and accordingly, this writ petition stands dismissed. No costs.

03.02.2025

Index : Yes/No

NCS : Yes/No

KP

To

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N.ANAND VENKATESH, J.

KP

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