



Writ Petition No.5312 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 20.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.5312 of 2025

Chidambaram
S/o.Annamalai

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Attur, Salem District.

2.The Tahsildar,
Pethanaickenpalayam Taluk,
Salem District.

3.Sekar
S/o.Jeyachandran

4.Govindaraj
S/o.Annamalai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to restore the patta in petitioner's name vide patta No.180 on the file of second respondent from Patta Nos.596 and 597 that stands in the name of respondents 3 and 4 pursuant to the petitioner's application No.2025/0103/08/527098 dated 31.01.2025.



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For Petitioner : Mr.N.Ranjith Kumar

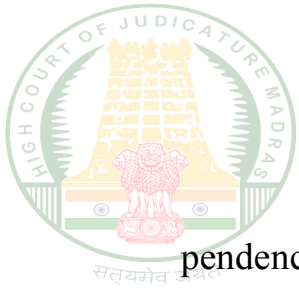
For Respondents : Mr.R.P.Murugan Raja
Government Advocate [R1 & R2]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to restore the patta in the name of the petitioner based on the application dated 31.01.2025.

2. Heard Mr.N.Ranjith Kumar, learned counsel for petitioner and Mr.R.P.Murugan Raja, learned Government Advocate appearing for respondents 1 and 2.

3. The case of the petitioner is that he is the owner of the subject property and the patta also stood in his name. Subsequently, the respondents 3 and 4 managed to get the patta transferred in their names. A suit came to be filed in O.S.No.127 of 2013 before the Sub Court, Attur, by the petitioner and two others as against the respondents 3 and 4 seeking for the relief of cancellation of the sale deed dated 30.01.2012 and for permanent injunction. During the



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pendency of this suit, an application was made seeking for restoration of patta in the name of the petitioner. Since the same was not acted upon, the petitioner approached this Court and filed W.P.No.13395 of 2019 seeking for appropriate directions. This writ petition was disposed of by an order dated 04.02.2022 and the matter was thereafter enquired by the second respondent. The second respondent, through proceedings dated 25.07.2022, rejected the claim made by the petitioner on the ground that the suit is pending before the competent Court and subject to the result of the suit, necessary application can be given by the petitioner.

4. After the above order was passed, the suit itself came to be decreed by judgment and decree dated 26.11.2024. Accordingly, the petitioner made an application seeking for restoration of patta in the name of the petitioner. Since the same was not acted upon, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the



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N. ANAND VENKATESH, J

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second respondent to deal with the application submitted by the petitioner on 31.01.2025 in line with the judgment and decree dated 26.11.2024 passed in O.S.No.127 of 2013 on the file of Sub Court, Attur, after issuing notice to the fourth respondent and final order shall be passed within a period of six (6) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs.

20.02.2025

Neutral citation: Yes/No

Index : Yes/No

Speaking Order / Non Speaking Order

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To

1.The Revenue Divisional Officer,
Attur, Salem District.

2.The Tahsildar,
Pethanaickenpalayam Taluk, Salem District.

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