



Writ Petition No.10581 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10581 of 2025

Kremmer Sandegren And Paul Sandegren
Memorial Foundation,
Rep By Its President E.Ravi Anand Kumar,
Old No.7, New No.104, 1st Floor,
Kondi Chetty Street, Chennai- 600 001.

Petitioner

Vs

1. The District Collector,
District Collector Office, Coimbatore- 641
018.

2.The District Revenue Officer,
District Collector Office, Coimbatore-
641 018.

3.The Revenue Divisional Officer,
Coimbatore South Division, Revenue
Divisional Office, Railway Station Road,
Coimbatore- 641 018.

4.The Tahsildhar,
Tahsildhar Office, Madhukarai Taluk,
Coimbatore- 641 105.

5.Kremmer Sandegren Foundation
Rep By its President Kamaleeshwaran,
No.70 Muduppaiah Colony, 4th Street,
Veerakeralam, Coimbatore- 641 007.

Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 3rd and 4th Respondents by considering the petitioner's representation dated 26.12.2024 and conduct enquiry and to cancel the fraudulent patta and transfer the patta in the name of petitioner's foundation KREMMER SANDERGREN AND PAUL SANDEGREN MEMORIAL FOUNDATION within a time limit.

For Petitioner : Ms.Haritha

For Respondents : Mr.A.Selvendran,
Special Government Pleader [R1 to R4]
Mr.A.Raja [R5]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the third respondent to consider the representation made by the petitioner on 26.12.2024 wherein the petitioner has sought for cancellation of patta that stands in the name of the fifth respondent and for issuance of patta in the name of the petitioner.

2. Heard Ms.Haritha, learned counsel for petitioner, Mr.A.Selvendran, learned Special Government Pleader appearing for respondents 1 to 4 and Mr.A.Raja, learned counsel appearing for fifth



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respondent.

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3. It is brought to the notice of this Court that patta was granted in favour of the petitioner by the fourth respondent and aggrieved by the same, the fifth respondent filed an appeal before the second respondent on 08.02.2023. Based on the same, the second respondent also issued a notice dated 24.03.2023 and the same was pending. Under such circumstances, the petitioner filed a writ petition in W.P.No.25206 of 2024 seeking for a direction to the second respondent to dispose of the appeal within a time frame fixed by this Court. This Court, after hearing the learned counsel appearing on either side, disposed of the writ petition by order dated 25.10.2024 in the following terms:

"5.The first respondent is the original authority and he has no power to entertain any appeal against the order granting patta as per Patta Passbook Act. The appellate authority is the Revenue Divisional Officer. Therefore, the first respondent ought not have issued any notice based on the alleged petition filed by the 5th respondent dated 08.02.2023. Therefore, the first respondent is not entitled to proceed with enquiry proceedings issued by him in Na.Ka.No.10/2023/A3 dated 24.03.2023."

4. Pursuant to the above order, the petitioner has given a representation to the respondents 1, 3 and 4 to deal with the appeal and since the same was not considered, the present writ petition has been filed before this Court.



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5. Learned Special Government Pleader, on instructions, submitted that the representation made by the petitioner will be considered by the third respondent after affording opportunity to the fifth respondent.

6. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the third respondent to deal with the representation made by the petitioner on 26.12.2024 on its own merits and in accordance with law after affording opportunity to the fifth respondent and orders shall be passed within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

01.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm



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Revenue Divisional Office,
Railway Station Road, Coimbatore-
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4. The Tahsildhar
Tahsildhar Office, Madhukarai
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N.ANAND VENKATESH, J

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