



W.P.No.11961 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

WEB COPY

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.11961 of 2025
and W.M.P.No.13524 of 2025

Sundarapandiyan

... Petitioner

Vs.

1.The District Collector,
Perambalur District.

2.The Commissioner,
Kunnam Municipality,
Perambalur District.

3.The Tahsildar,
Kunnam,
Perambalur District.

4.S.Senthil Kumar

5.The Revenue Divisional Officer,
Perambalur.

*(R5 Suo-motu impleaded as per order dated 24.04.2025 by JSNPJ in
W.P.No.11961 of 2025)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India
praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to
stop the construction in the land situated in Kunnam Taluk, in Vayalapadi



W.P.No.11961 of 2025

Village, Perambalur District, Natham SF.No.96/1 (Natham New SF.No.339/19 0.02.96 square meters, New SF.No.339/20 0.11.16 square meters, having total extent of 0.14.12 square meters, 15193 square feet.

For Petitioner : Mr.J.Umacharan

For Respondents 1 & 3 : Mr.N.Naveen Kumar,
Government Advocate

For Respondent 2 : Mr.S.J.Mohamed Sathik,
Government Advocate

For Respondent 5 : Mr.M.Rajendiran,
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking to direct the respondents 1 to 3 to stop the construction in the land situated in Kunnam Taluk, in Vayalapadi Village, Perambalur District, Natham SF.No.96/1 (Natham New SF.No.339/19 0.02.96 square meters, New SF.No.339/20 0.11.16 square meters, having total extent of 0.14.12 square meters, 15193 square feet.

2. The case of the petitioner is that he is the absolute owner of ancestral property located in Vayalapadi Village, Perambalur District, originally

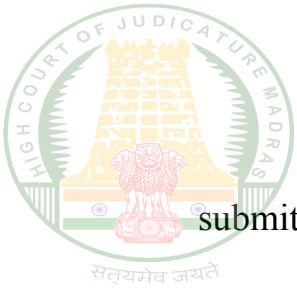


W.P.No.11961 of 2025

purchased by her forefather, vide two registered sale deeds dated 29.11.1935 and 30.11.1935. The property was later inherited by the petitioner's mother and subsequently by the petitioner and his co-sharers namely, Venkatachalam, Indhira, Visalakshi, Ravikumar, and Santhi. On 22.04.2022, the co-owners executed a registered sale deed, vide Document No.2275 of 2022, in favour of the petitioner, conferring full ownership. Despite submitting applications for patta mutation on 13.09.2022, the revenue authorities failed to act, resulting in administrative inaction. Taking advantage of this, certain individuals attempted to encroach upon the land, and unauthorized construction work, allegedly under an MLA approval. Despite multiple representations, no inquiry was conducted, prompting the petitioner to approach this Court through this petition.

3. Learned counsel for the petitioner would submit that the petitioner has sent a representation dated 15.07.2024 to the third respondent and the same was not considered till date.

4. Learned Government Advocate appearing for the respondents 1 & 3



submitted that the petitioner has given his representation to the third respondent for mutation of patta in his favour, whereas in this case, the competent authority to consider the case of the petitioner is the Revenue Divisional Officer, Perambalur, who is not a party in this writ petition. Hence, he prayed this Court to *suo-motu* implead the Revenue Divisional Officer, Perambalur as fifth respondent.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submission made by the learned Government Advocate appearing for the respondents 1 & 3, it is necessary to implead the Revenue Divisional Officer, Perambalur as one of the respondents in this writ petition, since he is the competent authority to consider the case of the petitioner. Accordingly, The Revenue Divisional Officer, Perambalur is *suo-motu* impleaded as fifth respondent by this court.

7. In view of the above factual matrix of the case, this Court issues the



W.P.No.11961 of 2025

following directions:

WEB COPY

(i) The petitioner is directed to give a representation to the *suo-motu* impleaded fifth respondent/The Revenue Divisional Officer, Perambalur, within a period of two weeks from the date of receipt of a copy of this order;

(ii) On receipt of the said representation, the fifth respondent/The Revenue Divisional Officer, Perambalur is directed to consider the same, after giving due notice to the petitioner as well as fourth respondent, affording an opportunity of personal hearing and considering the documents submitted by both the parties on merits, in accordance with law and pass appropriate orders, within a period of four weeks thereof.

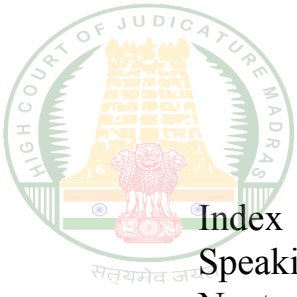
(iii) The respondents 1 to 3 shall not take any coercive action against the petitioner, till the disposal of his representation by the fifth respondent.

8. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petition is also closed.

24.04.2025

vm

Page No.5 of 7



W.P.No.11961 of 2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

WEB COPY

Note: Registry is directed to carry out the necessary amendment in the cause title.

J.SATHYA NARAYANA PRASAD,J.

vm

To:

- 1.The District Collector,
Perambalur District.
- 2.The Commissioner,
Kunnam Municipality,
Perambalur District.
- 3.The Tahsildar,
Kunnam,
Perambalur District.
- 4.The Revenue Divisional Officer,
Perambalur.

W.P.No.11961 of 2025



WEB COPY



W.P.No.11961 of 2025

24.04.2025