



WEB COPY

WP No. 12728 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 12728 of 2025

AND

WMP NO. 14308 OF 2025

1. Ramamoorthy.S
S/o. Saminadhan, East Street,
Rengasamuthiram Village,
Subrayapuram Post, Ariyalur Taluk
And District.

Petitioner(s)

Vs

1. The District Collector
Ariyalur District.

2.The District Revenue Officer,
Ariyalur District.

3.The Revenue Divisional Officer,
Ariyalur District.

4.The Tahsildar,
Ariyalur Taluk And District.

Respondent(s)

PRAYER



Writ petition filed under Article 226 of Constitution of India for the issue of Certiorarified Mandamus to call for the records on the file of the 3rd respondent in proceedings No. O.Mu/2607/2024(A5) dated 19/09/2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the 3rd respondent to act on the recommendation report submitted by the 4th respondent and to make appropriate decision and pass orders.

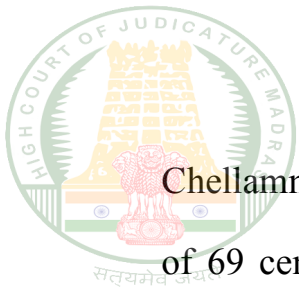
For Petitioner(s): Mr.A.Arun Kumar
For Respondent(s): Mr.P.Sathish
Additional Government Pleader
for R1 to R4

ORDER

This writ petition has been filed challenging the impugned proceedings of the 3rd respondent dated 19.09.2024 and for a consequential direction to the 3rd respondent to act upon the report that has already been submitted by the 4th respondent and pass necessary orders within the time frame fixed by this Court.

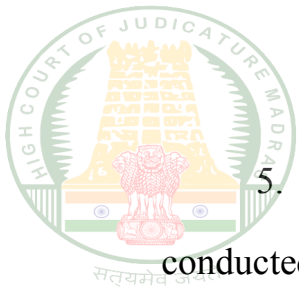
2. Heard Mr.A.Arun Kumar, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents 1 to 4.

3. The case of the petitioner is that the subject property in Survey No.105/12A belongs to the petitioner after having inherited the same from one



Chellammal. The petitioner executed a sale deed in the year 2014 for an extent of 69 cents out of the total extent of 88 cents. Thereafter, a subdivision took place and survey No.105/12A1 was allotted to the petitioner and Survey No.105/12A2 was allotted to the purchaser of the property. The petitioner once again executed a sale deed in the year 2016 and sold 5 cents of land and pursuant to the same, another sub-division took place and the portion that was retained by the petitioner was allotted Survey No.105/12A1B. Thus, the petitioner was the owner of the balance extent of 14 cents of land. The petitioner found that in the patta, only 3.3 cents was reflected. Hence, the petitioner submitted an application seeking for the necessary correction. Based on the same, the 4th respondent conducted an enquiry and he also submitted a report dated 20.08.2024 to the 3rd respondent stating that there is a discrepancy in the extent of property and that apart, the name of one Rangaraj has also been included in the patta which must also be removed.

4. The grievance of the petitioner is that the 3rd respondent without acting upon the report and passing final orders, once again through the impugned proceedings dated 19.09.2024 remanded the matter to the file of the 4th respondent and directed the 4th respondent to take appropriate action. Aggrieved by the same, the present writ petition has been filed before this Court.



5. In the considered view of this Court, the 4th respondent has already conducted an enquiry and submitted a report through proceedings dated 20.08.2024. Considering the fact that the name of one Rangaraj has to be removed from the patta and the correct extent of the property has to be reflected in the patta, it is the 3rd respondent who ought to have passed the final order and instead, he has mechanically remanded the matter to the 4th respondent. The impugned proceedings of the 3rd respondent dated 19.09.2024 suffers from non-application of mind and the same is hereby set aside.

6. The matter is remanded back to the file of the 3rd respondent and there shall be a direction to the 3rd respondent to pass final orders based on the report that has already been submitted by the 4th respondent through proceedings dated 20.08.2024. This process shall be completed by the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is allowed with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

17-04-2025

rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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