



W.P. No.17007 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 03.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.17007 of 2025

P.Kalpana

... Petitioner

Vs.

1. The District Collector,
Collectorate at Kancheepuram,
Kancheepuram District.
2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Walajabad Taluk,
Walajabad, Kancheepuram District.

4. Mr.V.Sigamani

... Respondents

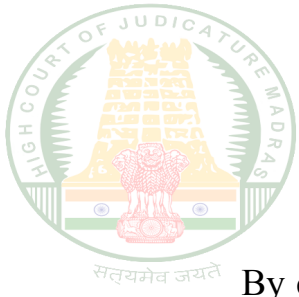
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st Respondent herein to consider the petitioner's representation dated 27.01.2025 and conduct the enquiry regarding the fraudulent Patta as detailed in the petitioner's representation.

For Petitioner(s)

: Mr.J.Ram

For R1 to R3

: Mr.S.J.Mohamed Sathik
Government Advocate



W.P. No.17007 of 2025

ORDER

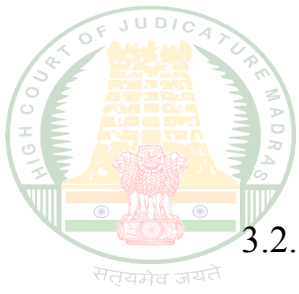
By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the 4th respondent is dispensed with.

2. The present writ petition is filed to consider the petitioner's representation dated 27.01.2025 wherein it has been explained that the 4th respondent has obtained patta fraudulently in respect of lands comprised in Survey No.152, 154/1B and 157 which belongs to the petitioner.

3. It is submitted by the learned counsel for the petitioner that the land parcels with a total extent of 2 Acres and 12 Cents of Wet (Nanjai) lands originally belonged to one Yasodhammal, the details of the land parcels is mentioned:

- i) 1 Acre and 44 Cents in Survey No.152,
- ii) 0.64 cents out of 1 Acre and 14 Cents in Survey No.154/1,
- iii) 0.67 Cents in Survey No.157 and
- iv) 0.04 Cent of Canal.

3.1. The said Yasodhammal acquired the same from her husband Vasudevar Mudaliar by virtue of Settlement Deed dated 27.01.1973 vide Document No. 193/1973 before Sub Registrar, Walajabad.

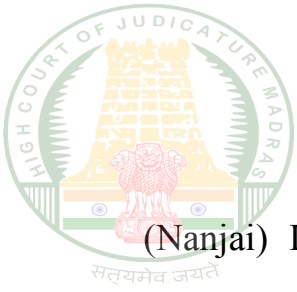


W.P. No.17007 of 2025

3.2. It is further submitted by the learned counsel for the petitioner that the above said Yasodhammal and her three sons namely T. Madhavan, T. Sivaraj and T. Rajasekaran jointly sold the above mentioned property to the petitioner's husband N.Paramanandan by way of the Sale Deed, dated 14.06.2003 in Document No.1770 of 2003 on the file of the Sub Registrar at Walajabad. In the said Sale Deed, Mr. V. Sigamani, the 4th Respondent herein has signed as one of Witnesses. Ever since the date of purchase of the above said property petitioner's husband N. Paramanandan has been in absolute possession and enjoyment. Whiles, the petitioner's husband N.Paramanadan passed away on 09.11.2017 leaving behind his wife and two sons viz., the petitioner herein, P.Vinothkumar and P.Harish Kumar.

3.3. It is further submitted by the learned counsel for the petitioner that in the mean while without petitioner's knowledge the title of the said property has been wrongly registered in the name of V. Sigamani, the 4th Respondent herein under the Upgrading Registry (UDR) Scheme of 1986 and the Patta has been mistakenly issued in his name.

3.4. It is submitted by the learned counsel for the petitioner that the 4th respondent herein, who signed as one of witnesses of the said Sale Deed, took advantage of the entry that was mistakenly made in his name under the UDR Scheme and has illegally settled the extent of 2 Acres and 7 Cents of Wet



W.P. No.17007 of 2025

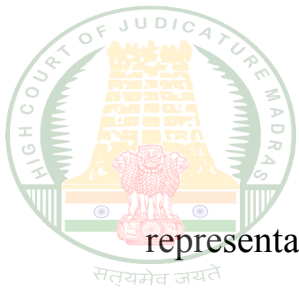
(Nanjai) Lands to and in favour of his Son S.Sundaramoorthy by way of

fabricating the forgery Document of Settlement Deed dated 14.10.2008 and registered the same as document No.7854 of 2008 SRO-Walajabad.

3.4. It is submitted by the learned counsel for the petitioner that the petitioner had submitted a representation on 27.01.2025 to the 2nd respondent herein to cancel the Patta in the name of the 4th respondent herein. Since the petitioner's representation was not considered by the respondents till date, the present writ petition has been filed before this Court.

4. The learned Government Advocate appearing for the respondent nos.1 to 3 would submit that power to cancel Patta is not vested with the Tahsildar but with the Revenue Divisional Officer (RDO) and therefore the petitioner may submit its representation to the concerned Revenue Divisional Officer. If any such representation is made the Revenue Divisional Officer would consider the same and pass appropriate orders on such representation within a time period fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, the writ petition stands disposed. It is open to the petitioner to submit a representation before the appropriate Revenue Divisional Officer regarding cancellation of patta. If any such representation is made the concerned Revenue Divisional Officer shall consider the petitioner's



W.P. No.17007 of 2025

representation and pass appropriate orders after affording the petitioner, 4th

WEB.COM

respondent and other interested parties including rival claimants, if any, an opportunity of hearing within a period of 8 weeks from the date of receipt of the representation submitted by the petitioner. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.

03.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

spp

To:

1. The District Collector,
Collectorate at Kancheepuram,
Kancheepuram District.
2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Walajabad Taluk,
Walajabad, Kancheepuram District.



WEB COPY



W.P. No.17007 of 2025

MOHAMMED SHAFFIQ, J.

spp

W.P. No.17007 of 2025

03.06.2025