



W.P. No.16997 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 03.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P. No. 16997 of 2025**

**and**

**W.M.P.No.19294 of 2025**

Mohanalakshmi

... Petitioner

Vs.

1. The Revenue Divisional Officer,  
Chennai South,  
Office of Revenue Divisional Office,  
Guindy, Chennai 600 032.

2. The Tasildar,  
The Office of Tasildar Sholingallur,  
TNHB, Sholingallur,  
Chennai 600 119.

3. S.Egneshwaran

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to consider the petitioner's representation dated 02.01.2025 and cancel the Patta No.11814 issued by the 2<sup>nd</sup> Respondent in favour of the 3<sup>rd</sup> Respondent.

For Petitioner(s) : Mr.K.Chandrasekaran

For R1 and R2 : Mr. A.Selvendran  
Special Government Pleader



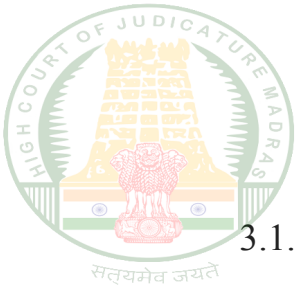
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## **ORDER**

**WEB COPY** 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 3<sup>rd</sup> respondent is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, to direct the 1<sup>st</sup> respondent to consider the petitioner's representation dated 02.01.2025 and cancel the Patta No.11814 issued by the 2<sup>nd</sup> Respondent in favour of the 3<sup>rd</sup> Respondent.

3. It is submitted by the learned counsel for the petitioner that the larger extent of property comprised in Old Survey No.117/2B, 1D, New Survey No.117/26 admeasuring an extent of 4 Acres and 55 cents, situated at Okkiam Thoraipakkam Village, originally belong to the petitioner's grandfather family. Subsequently, there was a Partition Deed dated 15.03.1975 registered as Doc.No. 1876 of 1975. Pursuant to the said Partition Deed the petitioner's grandfather viz., Mr.A.C.Sriram had acquired title for the above said property and he was in absolute possession and enjoyment of the property.



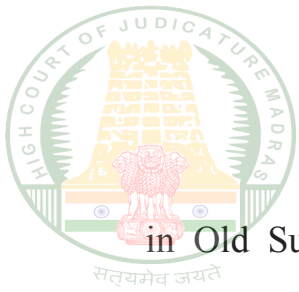
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3.1. It is submitted by the learned counsel for the petitioner that petitioner's grandfather Mr.A.C.Sriram died intestate on 20.02.1992, leaving behind his wife viz., S.Yashodha Ammal, sons S.Egneshwaran (3<sup>rd</sup> Respondent herein), Daneshwaran (the Petitioner's Father), S.Logeshwaran and daughters Kalaivani, S.Kalaiselvi and V.Sasirekha as his surviving legal heirs. While the petitioner's grandfather Mr.A.C.Sriram was alive, he had sold portion of the land out of the larger extent of the property by retaining land measuring 2.7 Acres. After demise of the petitioner's grandfather the above said legal heirs had inherited the same and joint Patta No.969 came to be issued in their favour. It was further submitted that the legal heirs had jointly sold a portion of the subject land and the remaining land measuring 60 cents were in joint possession and enjoyment.

3.2. It is submitted by the learned counsel for the Petitioner that the petitioner's father S.Dhaneshwaran died intestate on 25.05.2002 leaving behind petitioner's mother, brother and the petitioner herein as his legal heirs. Subsequently the Petitioner's grandmother namely Mrs.S.Yashodha Ammal also died on 19.04.2020.

3.3. It is submitted by the learned counsel for the petitioner the property being vacant land situated in No.135, Okkiam Thoraipakkam Village, Comprised



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in Old Survey No.117/2B, 1D, New Survey No.117/26D1A admeasuring an extent of 60 cents stands in the name of all the legal heirs with Patta No.969.

3.4. It is further submitted by the learned counsel for the petitioner that on general verification of the online encumbrance certificate of the property, it was found that the 3<sup>rd</sup> respondent herein viz., Mr.S.Egneshwaran had fabricated documents and obtained Patta in his individual name for the property and the 2<sup>nd</sup> respondent herein without even giving notice to the other patta holders of the land, issued patta with Patta No.11814.

3.5. It is submitted by the learned counsel for the petitioner that the petitioner had also filed suit in O.S.No.871 of 2024 pending on the file of the Principal District Court, Chengalpattu seeking for partition of the property which is pending adjudication. It is further submitted by the learned counsel for the petitioner that the petitioner had submitted a representation dated 02.01.2025 to the 1<sup>st</sup> respondent seeking to cancel the Patta No.11814 issued by the 2<sup>nd</sup> Respondent in favour of the 3<sup>rd</sup> Respondent. However, no steps has been taken by the 1<sup>st</sup> respondent till date. Aggrieved by the same the present writ petition has been filed before this Court.

4. At the outset, it is submitted by the learned Special Government Pleader appearing for 1<sup>st</sup> and 2<sup>nd</sup> respondent that the petitioner's representation dated 02.01.2025 would be considered and appropriate orders would be passed



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keeping in view Rule 4(4) of Patta Pass Book Rules, 1987 and also the decision of this Court in W.P.No.262 of 2018 within a time period to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, the writ petition stands disposed of with a direction to the 1<sup>st</sup> respondent to consider the representation dated 02.01.2025 and pass appropriate orders after issuing notice to the petitioner, 3<sup>rd</sup> respondent and other interested parties including rival claimants if any and after affording the petitioner, 3<sup>rd</sup> respondent and other interested parties including rival claimants a reasonable opportunity of hearing within a period of 8 weeks from the date of receipt of a copy of this order, keeping in view Rule 4(4) of Patta Pass Book Rules, 1987 and also the decision of this Court in W.P.No.262 of 2018. 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. Consequently, connected miscellaneous petition is closed.

**03.06.2025**

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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**MOHAMMED SHAFFIQ, J.**

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