

W.P. No. 18263 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P. No. 18263 of 2025

Kaliyappan

... Petitioner

-VS-

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
- 3.The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
- 4.The Tahsildhar,
Dharmapuri District,
Dharmapuri.
- 5.The Village Administrative Officer,
K.Naduhalli,
Dharmapuri Taluk,
Dharmapuri District.

6.Bertha @ Beertha

... Respondents



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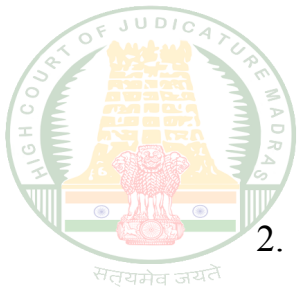
Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the third respondent to consider and conduct an enquiry based on the petitioner's representation dated 28.03.2025 by giving sufficient notices and opportunities to the petitioner and sixth respondent and to cancel the patta No.306 which stands in the name of sixth respondent and to issue patta in favour of petitioner and his wife namely, Lakshmi for land measuring 0.08.5 Hectare (21 Cents) in S.No.71/1C & land measuring 0.23.5 Hectare (0.58 3/4 Cents) in S.No.72/1B, totally 0.79 3/4 out of which 55 cents of K.Naduhalli Village, Dharmapuri Taluk, Dharmapuri District within a time stipulated by this Court and pass orders.

For Petitioner : Mr.A.Ilaya Perumal

For Respondents : Mr.M.Habeeb Rahman
Government Advocate
for R1 to R5

O R D E R

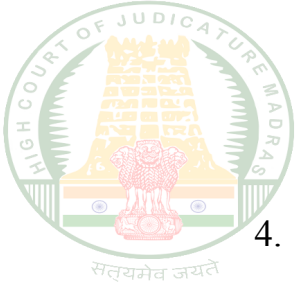
The petitioner states that the property situated at Survey No.71/C and 72/1B of K.Naduhalli Village, Dharmapuri Taluk and District belongs to him. He had secured the property by way of an exchange deed between himself, his wife and his brother on 03.01.2000. The exchange deed is a registered document in Document No.9/2000.



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2. The petitioner states that his brother had sold the property allotted to him constraining him to file a suit for declaration and injunction in OS No.348 of 2010 on the file of the learned District Munsif at Dharmapuri. The said suit was dismissed. Aggrieved by the same, a regular appeal was preferred in AS No.7 of 2019 on the file of the Principal Subordinate Judge at Dharmapuri. The appellate Court allowed the appeal in part and granted a decree declaring a right of the writ petitioner in and by way of judgment dated 01.07.2022. The petitioner states that the revenue department had benefited the patta for the property in favour of the sixth respondent. Hence, he gave a representation seeking for rectification of the revenue records on 11.11.2022, 04.12.2024, 26.03.2025 and finally on 28.03.2025. As none of it bore any fruit, he has come forward with the present writ petition.

3. When the matter was taken up for admission, Mr.M.Habeeb Rahman, learned Government Advocate representing respondents 1 to 5 stated that acting on the request of the petitioner, an enquiry has been proposed to be conducted by the third respondent on 13.06.2025. He states that during the time of enquiry, the petitioner and the sixth respondent would be heard and orders would be passed.



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4. As the enquiry has commenced, there shall be a direction to the third respondent to hear the parties on 13.06.2025 and dispose of the same by passing a speaking order and after hearing the both the petitioner and the sixth respondent, within period of four weeks from 13.06.2025.

5. The writ petition stands disposed of. There shall be no order as to costs.

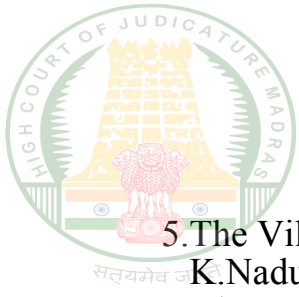
15.05.2025

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No

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To

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Dharmapuri District,
Dharmapuri.
2. The District Revenue Officer,
Dharmapuri District,
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3. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
4. The Tahsildhar,
Dharmapuri District,
Dharmapuri.



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5. The Village Administrative Officer,
K.Naduhalli,
Dharmapuri Taluk,
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V.LAKSHMINARAYANAN, J.

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