



W.P. No.22996 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.22996 of 2025

S.Kothandapani

... Petitioner

Vs.

1. District Revenue Officer,
Chengalpattu District,
Chengalpattu 603 001.

2. Tahsildar,
Thiruporur 603 110.

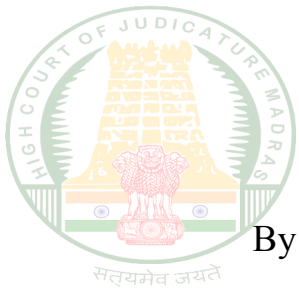
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records ending with the order of the 1st respondent made in his proceedings in Na.Ka.No.14821/2024/B4 dated 24.02.2025 and to quash the same and consequently direct the respondents to issue patta in respect of the petitioner's land bearing Plot No.766 and 773, comprised in S.No.92/1 and 92/2 in Paiyanur Village, Thiruporur Taluk, Chengalpet District.

For Petitioner(s) : Mr.N.Ishtiaq Ahmed

For Respondent(s) : Mr.P.Sathish
Additional Government Pleader

ORDER



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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of mandamus, to quash the order of the 1st respondent made in his proceedings in Na.Ka.No.14821/2024/B4 dated 24.02.2025 and to consequently direct the respondents to issue patta in respect of the petitioner's land bearing Plot No.766 and 773, comprised in S.No.92/1 and 92/2 in Paiyanur Village, Thiruporur Taluk, Chengalpet District.

3. It is submitted by the learned counsel for the petitioner that the petitioner purchased the property in Plot No.766 and 773, comprised in Survey No.92/1, admeasuring 11 cents and Survey No.92/2, admeasuring 2 ³/₄ cents, situated in Paiyanur Village, Thiruporur Taluk, Chengalpet District, from one A.C.Nataraja Mudaliar by way of registered sale deed in Doc.No.207 of 1978 dated 24.02.1978, on the file of SRO, Thiruporur. Thereafter, petitioner submitted multiple representations before the respondents seeking issuance of patta in petitioner's name in respect of the subject property. However, no action was taken by the respondents. Aggrieved, petitioner filed a writ petition in W.P.No.29861 of 2023. This Court vide order dated 16.10.2023 passed the



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following order:

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“4. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents to consider the representation of the petitioner and conduct enquiry and pass orders on merits and in accordance with law, after giving notice to all the necessary parties viz, adjacent land owners and rival claims if any and dispose of the representation within a period of three months from the date of receipt of copy of this order.

5. With the above directions, the writ petition is disposed of at the admission stage itself. However, there shall be no order as to costs.”

3.1. It is submitted by the learned counsel for the petitioner that pursuant to the directions of this Court, the impugned order dated 24.02.2025 came to be passed. The impugned order rejected the petitioner's request for issuance of patta in petitioner's name stating that the petitioner has not produced the sale deed and also a suit in O.S.No.288 of 2023 is pending at Thiruporur District.

3.2. The learned counsel for the petitioner would submit that the petitioner was not informed of either reasons and he would also point out that there is an apparent contradiction in the impugned order inasmuch as after observing that the petitioner had not furnished/produced the sale deed between the petitioner and one Nataraja Mudaliar, however, in the following paragraph there is reference to the Document No.207 of 1978, which is nothing but sale deed executed in favour of the petitioner. Insofar as pendency of the suit is concerned



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the learned counsel for the petitioner would submit that the petitioner is not aware of the nature of the suit and the petitioner was not furnished with the copies of the suit proceedings.

4. The learned Additional Government Pleader would submit that what was sought for was the document by which title was conveyed to the vendor viz., Nataraja Mudaliar.

5. The learned counsel for the petitioner would submit that they have the parent document as well which would indicate how the title stood conveyed in respect of the subject property to his vendor viz., Nataraja Mudaliar and if an opportunity is granted petitioner would be able to produce the same and putforth/explain his case. It is further submitted that unless and until petitioner is provided with copies of the suit proceedings, he would not be in a position to respond as to how pendency of a suit would have a bearing on his representation requesting issuance of patta in his name.

6. Having considered the submissions of both sides, this Court is of the view that there is merit in the submission of the learned counsel for the petitioner



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that there is an apparent contradiction in the impugned order inasmuch as after stating/observing that the petitioner has failed to produce the sale deed entered between the petitioner and Nataraja Mudaliar, there is a reference to the sale deed in the subsequent paragraph.

7. In view there of, this Court is inclined to remand the matter back to provide an opportunity to the petitioner to produce the documents relating to sale deed which conveyed title to petitioner's vendor and also the petitioner may be furnished with copies of the suit papers at petitioner's cost. After the above exercise is completed, respondents are directed to carry out an enquiry and pass orders afresh after issuing notice to the petitioner and any other interested parties and after affording the petitioner and any other interested parties a reasonable opportunity of hearing. The entire exercise shall be completed within a period of four (4) months from the date of uploading of the order copy without waiting for the receipt of the certified copy.

8. Accordingly, the writ petition stands disposed of. No cost.



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WEB **Speaking (or) Non Speaking Order**
Index : Yes/ No
Neutral Citation: Yes/No
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MOHAMMED SHAFFIQ, J.

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To:

1. District Revenue Officer,
Chengalpattu District,
Chengalpattu 603 001.
2. Tahsildar,
Thiruporur 603 110.

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