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W.P.No.21517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21517 of 2025

C.Selvam

: Petitioner

Vs.

1.The District Collector,
Sathuvachari,
Vellore District.

2.The Revenue Divisional Officer,
Gudiyattam Taluk,
Vellore District.

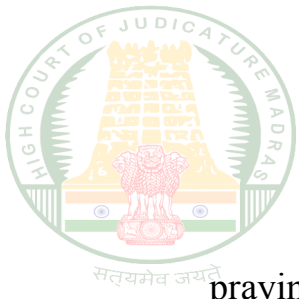
3.The Tahsildar,
Pernampet Taluk,
Vellore District.

4.The Special Tahsildar,
Gudiyattam Taluk,
Vellore District.

5.Banumathi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,



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praying to issue Writ of Mandamus, to direct the respondents 1 to 4 to consider the petitioner's representation dated 26.04.2025 and thereby direct the respondents 1 to 4 to cancel the patta stands in the name of the 5th respondent and issue patta in favour of the petitioner in respect of the property situated in Plot No.33, Survey No.14/1B1, (Present S.No.13/70) Kembasamuthiram Mittapalli Village, Pernampet Taluk, Vellore District to an extent of 872 sq.ft. and pass orders.

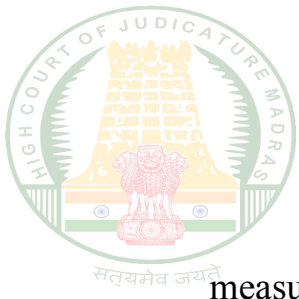
For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.S.Balamurugan
Government Advocate
for R1 to R4

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 Respondent No.5 is dispensed with.

2. The present writ petition is filed praying for a writ of Mandamus to direct the respondents 1 to 4 to consider the petitioner's representation dated 26.04.2025 and thereby direct the respondents 1 to 4 to cancel the patta in the name of the 5th respondent and issue patta in favour of the petitioner in respect of the property comprised in Survey No.14/1B1, (Present S.No.13/70)

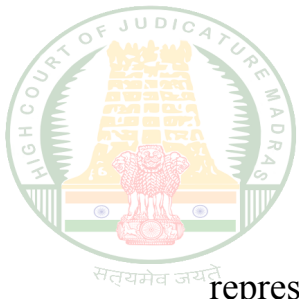


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measuring an extent of 872 sq.ft. in Plot No.33, situated at Kembasamuthiram Mittapalli Village, Pernampet Taluk, Vellore District.

3. It is submitted by the learned counsel for the petitioner that the petitioner purchased the subject property from one Thayammal vide sale deed dated 29.06.2010 registered as Document No.1779/2010 on the file of Sub Registrar, Pernampet. From the date of such purchase, petitioner has been in absolute possession and enjoyment of the subject property. Thereafter, petitioner submitted a representation dated 13.09.2024 seeking survey of the subject property. Since no action was taken on the said representation, the petitioner filed a writ petition in W.P.No.31849 of 2024 before this Court. This Court, by order dated 06.11.2024, directed the respondent authority to conduct survey of the subject property after issuing notice to the adjacent land owners and interested parties. Pursuant to the said direction, when the revenue authorities attempted to survey the subject property, the fifth respondent resisted and claimed ownership of the subject property stating a patta bearing Patta No.1514 has been issued to her. It was only then the petitioner became aware of the fact that patta has been issued in favour of the fifth respondent, in respect of the subject property. Hence, the petitioner submitted a



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representation dated 26.04.2025 before the respondents 1 to 4 seeking to cancel the patta issued in the name of the fifth respondent and also to issue patta in favour of the petitioner, in respect of the subject property. However, the said representation has not been considered so far. Hence, the petitioner has filed the present writ petition.

3.1. It is submitted by the learned counsel for the petitioner that patta, which stood in the name of petitioner's vendor has been transferred in the name of fifth respondent without even putting the petitioner on notice despite the fact that petitioner had purchased the subject property from the said Thayammal vide registered sale deed dated 29.06.2010 in Document No.1779/2010 on the file of Sub Registrar, Pernampet.

4. At the outset, it was submitted by the learned Government Advocate Pleader for respondents 1 to 4 that the representation dated 26.04.2025, made by petitioner would be considered and they would conduct an enquiry after putting the petitioner as well as fifth respondent and any other interested parties/rival claimants on notice and pass appropriate orders, within a time frame to be fixed by this Court, which was agreed to by the learned counsel for



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petitioner.
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5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to respondents 1 to 4, to consider the representation dated 26.04.2025 on its own merits and conduct an enquiry after issuing notice to the petitioner, fifth respondent and any other interested parties/rival claimants, if any and thereafter, pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. 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 case on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

18.06.2025



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Speaking (or) Non Speaking Order

Neutral Citation: Yes/No

mrn

To

- 1.The District Collector,
Sathuvachari,
Vellore District.
- 2.The Revenue Divisional Officer,
Gudiyattam Taluk,
Vellore District.
- 3.The Tahsildar,
Pernampet Taluk,
Vellore District.
- 4.The Special Tahsildar,
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MOHAMMED SHAFFIQ, J.

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