



W.P.No.23193 of 2025

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

**DATED : 30.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P.No.23193 of 2025**

G.Appandu,  
S/o.Gopal

... Petitioner

Vs.

1.The District Collector,  
Chennai District,  
Singaravelan Maligai,  
Rajaji Salai,  
Chennai – 600 001.

2.The District Revenue Officer,  
Chennai District,  
Singaravelan Maligai,  
Rajaji Salai,  
Chennai – 600 001.

3.The Revenue Divisional Officer,  
Chennai Central,  
Revenue Division,  
Chennai – 600 003.

4.The Tahsildar,  
Aminjikarai Taluk,  
Chennai.

5.E.Ananthraj

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the fourth respondent to dispose of the appeal preferred by the fifth respondent dated 13.02.2024 based on the petitioner representations dated 06.09.2024 and 28.05.2025.

For Petitioner : Mr.CKM.Appaji  
For Respondents :  
For R1 to R4 : Mr.P.Sathish  
Additional Government Pleader

### **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 fifth respondent is dispensed with.

2. The present writ petition is filed for a writ of mandamus, to direct the fourth respondent to dispose of the appeal preferred by the fifth respondent on 13.02.2024 after considering the representations made by the petitioner on 06.09.2024 and on 28.05.2025.



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3. It is submitted by the learned counsel for the petitioner that the land properties comprised in Survey Nos.19/3 and 107, measuring 10 cents together with common passage situated at Arumbakkam Village, Aminjikarai Taluk, Chennai District was purchased by the petitioner vide registered Sale Deeds in Doc.No.960 of 1983 and Doc.No.504 of 1995. It is further submitted that the petitioner is the absolute owner of the subject property and he in possession of the said property till date.

3.1. It is submitted by the learned counsel for the petitioner that the properties comprised in T.S.No.51/1 and T.S.No.51/4 belonged to one Kirubavathi and Ramanathan, were lying vacant on both sides of the petitioner's property. Taking advantage of the vacant land properties, the fifth respondent registered a Sale Deed in respect of the Property in T.S.No.51/1 in the name of his mother namely Mrs.E.Indrani vide Doc.No.294 of 1984. On the strength of the Sale Deed, the fifth respondent encroached the property in T.S.No.51/4 and constructed a two storeyed house building by encroaching the eastern side of common passage belonged to the petitioner.



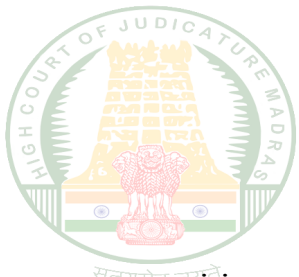
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3.2. It is submitted by the learned counsel for the petitioner that the fifth respondent had obtained Patta including the common passage belonging to the petitioner in his favour in respect of the property comprised in T.S.No.51/1 by sub-dividing T.S.No.51/1 into T.S.No.51/8 vide proceedings bearing File No.SD/382/87-80 of the fourth respondent dated 23.03.1988.

3.3. It is submitted by the learned counsel for the petitioner that the petitioner has given representations before the second and first respondents respectively on 06.09.2024 and 28.05.2025, requesting them to cancel the Patta, which is said to have been fraudulently obtained by the fifth respondent, and which stood in the name of the fifth respondent's mother namely Mrs.E.Indrani. It is further submitted that the third respondent vide proceedings bearing Na.Ka.No.A2/2722/2021 dated 19.10.2023, cancelled the Patta issued in favour of the fifth respondent's mother namely Mrs.E.Indrani. Aggrieved by the same, appeal was preferred by the fifth respondent.

3.4. It is further submitted that, enquiry notice dated 11.01.2024 was issued by the first respondent to the petitioner and the third to fifth respondents to attend enquiry before the second respondent on 13.02.2024. Receiving the same, the



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petitioner attended the Office of the second respondent and gave written statement and also submitted all relevant papers. However, the appeal is yet to be disposed. It is in these circumstances, the present writ petition is filed before this Court to direct the fourth respondent to dispose of the appeal preferred by the fifth respondent on 13.02.2024.

4. At the outset, it is submitted by learned Additional Government Pleader for the first to fourth respondents that the appeal dated 13.02.2024 which is stated to be pending would be considered and appropriate orders would be passed within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

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 the official respondents, to consider the appeal dated 13.02.2024 on its own merits and pass appropriate orders in accordance with law, after affording a reasonable opportunity of hearing to the petitioner, the fifth respondent and other interested parties including rival claimants if any, within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that this Court has not



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expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider and dispose of the subject appeal on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. No Costs.

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Speaking (or) Non Speaking Order  
Neutral Citation : Yes / No

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To

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- 2.The District Revenue Officer,  
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**MOHAMMED SHAFFIQ, J.**

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