



W.P.No.27831 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2025

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Coram:
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.27831 of 2025

Saiyath Basha

...Petitioner

Versus

- 1.The District Revenue Officer,
O/o. District Revenue Officer,
Krishnagiri District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Hosur Taluk,
Krishnagiri District.
- 3.The Tahsildar,
Hosur Taluk,
Krishnagiri District.
- 4.Mr.Aslam
- 5.Mrs.Sabera
- 6.Mrs.Sakila
- 7.Mrs.Biyaro Sakeera

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus to direct the 3rd respondent to
cancel the Patta No.524 issued in the name of Biyro and issue Patta in the



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petitioner's father name for the property comprised in S.No.505/6 measuring an extent of 1.15 Acre situated at Thorapalli Agraharam, Kollapalli Village, Hosur Taluk, Krishnagiri District by considering the petitioner's Representation dated 22.09.2023.

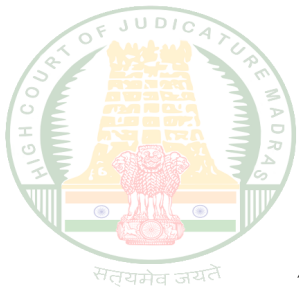
For Petitioner : Mr.G.Sarvanabhavan

For Respondents – 1 to 3 : Mr.A.Selvendran,
Special 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 in this writ petition, notice to respondents 4 to 7 is dispensed with.

2. The relief sought in this writ petition is to direct the 3rd respondent to cancel Patta No.524 issued in the name of Biyro and issue Patta in the petitioner's father name for the property comprised in S.No.505/6 measuring an extent of 1.15 Acre situated at Thorapalli Agraharam, Kollapalli Village, Hosur Taluk, Krishnagiri District (hereinafter referred to as "subject property) by considering the petitioner's Representation dated 22.09.2023.



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3. The brief facts of the case are that the petitioner's father viz., Late Mr.Moiddin Sayub inherited the subject property and UDR Patta was issued in favour of petitioner's father. The petitioner's father died on 09.05.2005. After the death of petitioner's father, petitioner has been in possession and enjoyment over the subject property. While so, the petitioner came to know that Patta for the subject property has been wrongly issued in the name of Late Mr.Biyaro. Aggrieved by the same, the petitioner has submitted a Representation dated 22.09.2023 before the 1st respondent seeking to cancel Patta No.524 issued in the name of Late Mr.Biyaro and issue Patta in the name of petitioner's father rather petitioner as his father has died. The 1st respondent vide Letter dated 01.11.2023, forwarded the petitioner's Representation to the 3rd respondent and directed the 3rd respondent to conduct enquiry on the petitioner's Representation. On two occasions viz., 03.07.2024 & 06.08.2024, the petitioner appeared before 3rd respondent for enquiry and submitted the relevant documents. However, till date, 3rd respondent has not considered and disposed of the petitioner's Representation. Hence, this writ petition.



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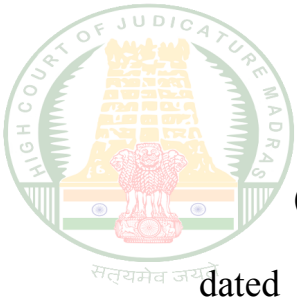
4. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that 3rd respondent would consider the petitioner's Representation dated 22.09.2023 and dispose of the same, within a time frame to be fixed by this Court.

5. The above submission made by the learned Special Government Pleader for the respondents has been fairly conceded by the learned counsel for the petitioner.

6. In view of the limited relief sought by the petitioner, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The 2nd respondent shall consider the petitioner's Representation dated 22.09.2023, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, respondents 4 to 7 and all other interested parties including rival claimants, if any.

(ii) The 2nd respondent shall independently consider the facts and law set out in the petitioner's Representation and pass appropriate orders, in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act, 1983 and Tamil Nadu Patta Pass Book Rules, 1987.



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(iii) The 2nd respondent shall dispose of the petitioner's Representation dated 22.09.2023, within a period of sixteen weeks from the date of uploading of web copy of this order without waiting for the receipt of certified copy of this order.

(iv) 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 2nd respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the petitioner and all other interested parties are left open. No costs.

01.08.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

5/7



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MOHAMMED SHAFFIQ, J.

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