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Writ Petition No.40276 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.40276 of 2025

Jahir Hussain
S/o. Rahmathullah

Petitioner

Vs

1.The District Collector,
Office of The Collectorate, Building,
Perambalur District.

2.The Revenue Divisional Officer,
Office of The Revenue Divisional Officer,
Perambalur, Perambalur District.

3.Tahsildar
Office of The Tahsildar,
Perambalur, Perambalur District.

4.Krishnamoorthi
S/o. Sivasangu

Respondents

PRAYER

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to conduct enquiry and dispose of the appeal dated 24.05.2025 preferred by the petitioner within a time frame.



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For Petitioner : Mr.J. Mohamed Ibrahim
For Respondents : Mr.N.Naveen Kumar
Government Advocate [R1 to R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to conduct enquiry and dispose of the appeal filed by the petitioner on 24.05.2025 within the time frame fixed by this Court.

2. Heard Mr.J.Mohamed Ibrahim, learned counsel for petitioner and Mr.N.Naveen Kumar, learned Government Advocate appearing for respondents 1 to 3.

3. The case of the petitioner is that the subject property belonged to the grandfather of the petitioner and he had executed a gift deed in favour of his wife. In the year 2008, joint patta was also issued in the name of the petitioner's grandfather and others in Patta No.2442. They were in possession and enjoyment of the property. The grandfather died and the petitioner was taking care of the grandmother. While so, the petitioner came to understand that the patta has been transferred in the name of the fourth respondent based on some forged documents. The



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petitioner gave a representation to respondents 1 to 3 to cancel the patta.

Since the same was not acted upon, the petitioner filed W.P.No.5588 of 2024 and the said writ petition was disposed of on 05.03.2024 with a direction to the second respondent to conduct enquiry. Pursuant to the same, the second respondent passed an order dated 09.11.2024 directing both parties to approach the civil Court since there is a title dispute between the petitioner and the fourth respondent.

4. The grievance of the petitioner is that the third respondent thereafter passed an order on 07.04.2025 and ordered transfer of patta in the name of fourth respondent. This order was passed completely disregarding the earlier order passed by the second respondent directing the parties to approach the civil Court. Aggrieved by the same, the petitioner filed an appeal before the second respondent. Since the same was not considered, the present writ petition has been filed.

5. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the second respondent to deal with the appeal filed by the petitioner on

N.ANAND VENKATESH, J.



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24.05.2025 on its own merits and in accordance with law after affording opportunity to the fourth respondent and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs.

27.10.2025

Index:yes/no
Speaking order/Non-speaking order
Neutral citation: yes/no
gm

To
1.The District Collector,
Office of The Collectorate Building,
Perambalur District.

2.The Revenue Divisional Officer,
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Perambalur, Perambalur District.

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