



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 7203 of 2021

WEB COPY

C.Kandasamy,
S/o.Late Mr. Chinnappan,
No.4 /113 B, Panapalayam Pudhur,
Komarapalayam, Velliankadu,
Coimbatore 641 104.

Petitioner(s)

Vs

1.The Assistant Settlement Officer,
(Sourth), Survey House, Ezhilagam,
3rd Floor, Chepauk, Chennai 600 005.

2.The District Collector,
Collectorate, Railway Station Road,
Coimbatore.

3.The Thasildar (North),
Dr.Balasundaram Road, Coimbatore 18.

4.M/s.Jain Marbles,
Rep. by Proprietrix Mrs. Rekha K.Lund
W/o. Mr. Kishore No.32 - A, 6th Cross,
Bharathi Park Road,
Coimbatore 641 043.

5.The Commissioner Of Land
Administration,
2nd Floor, Ezhilagam, Chepauk,
Chennai - 600 005.

6.The Commissioner Of Survey And
Settlement,
Chennai.



(R5, R6 Suo Motu Impleaded Vide
Order Dt 09.11.2021 Made In
WP.7203/2021 by GKIJ)

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Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, to call for the records of the 1st respondent pertains to impugned order dated 23.07.2020 in Na.Ka.No.I -2 /1866 /2020, and quash the same and consequently directing the 1st respondent to consider the petitioner's representation dated 03.03.2020 afresh, seeking for issuance of patta to the petitioner without taking note of delay.

For Petitioner(s): Mr.B.Manimaran

For Respondent(s): Mr.C.Gowthamaraj
Government Advocate
For R1 to R3, R5 & R6
Mr.K.Venkatasubban
For M/s.Sarvabhauman
Associates, For R4

ORDER

This writ petition has been filed challenging the order of the 1st respondent dated 23.07.2020 in Na.Ka.No.I -2 /1866 /2020, and to quash the same and consequently to direct the 1st respondent to consider the petitioner's representation dated 03.03.2020 afresh, seeking for issuance of patta to the petitioner.



2.Learned counsel for the petitioner would submit that the properties morefully described in the affidavit filed in support of this writ petition was originally assigned to the petitioner's forefather for their service rendered during the British era. In the year 1968, some third parties viz., Sellathal, Kuttiammal, Pethi chettiar, Arumuga Chettiar, Pahala and Subbulakshmi Ammal have fraudulently obtained ryotwari patta for the subject properties. From them, the 4th respondent illegally derived the title of the subject properties. Therefore, the petitioner vide representation dated 03.03.2020, requested the 1st respondent to cancel the patta issued in the name of the 4th respondent and to issue patta in respect of the subject properties in favour of the petitioner. However, the 1st respondent rejected the petitioner's representation on the ground that the petitioner's representation was passe and outdated. Hence, the present writ petition has been filed.

3.Learned Government Advocate appearing for the respondents 1 to 3, 5 and 6 would submit that if the petitioner is aggrieved over the order of the 1st respondent, he supposed to have preferred an appeal under Section 11(3) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963. However, the petitioner has wrongly approached this Court.

4.Heard the learned counsel for the petitioner; learned Government



Advocate appearing for the respondents 1 to 3, 5 and 6 and he learned counsel appearing for the 4th respondent.

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5.Considering the submissions made by both parties, it is evident that in the present case, the petitioner is aggrieved over the patta being issued in favour of the 4th respondent in respect of the subject properties and thus he made a representation to cancel the same before the 1st respondent. However, the 1st respondent has rejected the petitioner's representation. If the petitioner is aggrieved over the order of the 1st respondent, he has supposed to file appeal under Section 11(3) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963, within 90 days, instead he has filed the present writ petition. Such being the case, this Court is of the view that, since according to the petitioner, he is entitled for the title of the subject properties, the right course available for the petitioner is to approach the Civil Court.

6.In view of the above, this writ petition is dismissed with liberty to approach the Civil Court if the petitioner is entitled to make his claim. No costs.

24-03-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes



Neutral Citation: Yes/No

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To

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