



WEB COPY

WP No. 21276 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 21276 of 2021

and

WMP Nos. 22515 & 22516 of 2021 and 29980 & 29981 of 2023

1. Shaz Anwar

2. M.Vetri Selvi

..Petitioner(s)

Vs

1. The Commissioner,
Land Administration Department,
Chepauk, Chennai 05.

2. The Collector,
Chenglepattu Collector office,
Chenglepattu Distirct ,Tamil Nadu.

3. The Revenue Divisional Officer,
Chenglepattu Distirct, Tamil Nadu.

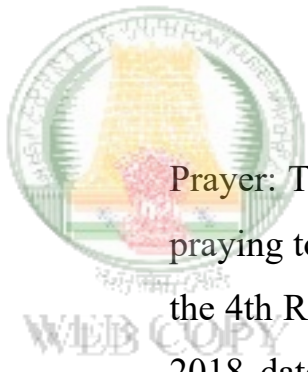
4. The Tahsildar,
Pallavaram Taluk, Kurinji Nagar, Kanni Koil
street, Chromepet, Chennai 44.

5. B.Umapathi

6. T.Thiran Kumar

7. The Assistant Executive Engineer,
Pallavaram E.B. Campus, Pallavaram,
Chennai.600 043.
(R7-impealed as per order dated 06.01.2025 in
WMP.31804/2023 in W.P.21276/2021 By
PTAJ)

..Respondent(s)



Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issuance a Writ of Certiorarified Mandamus calling for the records of the 4th Respondent in issuance of illegal and fraudulent patta in TSR No.646 of 2018 dated 19.04.2018 in favour of deceased Mrs. Chakkubai mother of 5th Respondent and quash the same and forbear the Respondents 1 to 6 herein in from any manner interfering with the right title, interest and possession petitioners' property situated at Survey No. 356/9A, Keelkattalai village Boopathi Nagar, Chennai which has been confirmed by order of the Hon'ble Supreme Court of India in Appln.No.4 of 2015 in Civil Appeal No.133 of 2009 dated 22.11.2016.

For Petitioner(s): Mr.G.Nicul Anand
for M/s G.Vijay Anand Associates

For Respondent(s): Mr.C.Gowthamaraj, GA for R1 to 4
M/s.G.Daisy John for R5 & 6

ORDER

This writ petition is filed to call for the records of the 4th Respondent in issuance of illegal and fraudulent patta in TSR No.646 of 2018 dated 19.04.2018 in favour of deceased Mrs.Chakkubai mother of 5th Respondent and quash the same and forbear the Respondents 1 to 6 herein in from any manner interfering with the right title, interest and possession petitioners' property situated at Survey No. 356/9A, Keelkattalai village Boopathi Nagar, Chennai which has been confirmed by order of the Hon'ble Supreme Court of India in Appln.No.4 of 2015 in Civil Appeal No.133 of 2009 dated 22.11.2016.



2. Learned counsel for the petitioners would submit that the petitioners have purchased a vacant land situated at S.No.356/9A, Keelkattalai Village, Boopathi Nagar, Chennai vide registered sale deed dated 18.02.2005, from one Mrs.G.Vijayalakshmi. This being so, the said property was being brought for auction by Tamil Nadu Mercantile Bank, TTK Road Branch, since the same was mortgaged by the petitioners' vendor viz., Mrs.G.Vijayalakshmi and her loan account had turned Non-performing Asset. Thereafter, the petitioners have approached the Hon'ble Supreme Court in Appln.No.4 of 2015 in Civil Appeal No.133 of 2009 for getting direction regarding raising of the mortgaged property and issuance of sale certificate by the Bank, which was ordered on 22.11.2016. Pursuant to which, the petitioners were issued with a Sale Certificate No.10 of 2018. This being the case, when the first petitioner's son visited the aforesaid subject property, he came to know that the fifth respondent has fraudulently created a forged patta vide T.S.R.No.646 of 2018 dated 19.04.2018, in favour of his deceased mother Mrs.Chakkubai, in respect of the subject property and registered the same on 05.08.2021 and based on which, a power of attorney was registered in favour of the sixth respondent. Therefore, the petitioners have made a criminal complaint against the respondents 5 and 6 for obtaining the illegal and forged patta and also made an objection to the respondents 1 to 4 to cancel the patta issued in the name of Mrs.Chakkubai. Challenging the said fraudulent patta dated 19.04.2018, issued in favour of



Mrs.Chakkubai, the petitioners have come forward with the present writ petition.

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3. Learned Government Advocate appearing for the official respondents would submit that fraud has been played by tampering the patta and included the name of one Mrs.Chakkubai, deceased mother of fifth respondent in the said patta. In this regard, an enquiry was conducted and after which, the fourth respondent has lodged a complaint before the concerned jurisdictional police and FIR was also filed.

4. Heard the learned counsel on either side and perused the materials available on record.

5. In the case on hand, even the Tahsildar, the fourth respondent has come to the conclusion that fraud has been played and tempering has been found in the said patta. In this regard, a criminal case was also lodged before the concerned jurisdictional police. Moreso, the title of the subject property was also confirmed by the Hon'ble Supreme Court of India vide order dated 22.11.2016. Therefore, this Court does not find any impediment for the respondents to mutate the patta in favour of the petitioners.

6. In view of the above, as the patta has been originally standing in the



name of Mrs. Vijayalakshmi and later, the same was mutated in the name of the petitioners, the Tahsildar/fourth respondent is directed to mutate the patta in favour of the petitioners, within a period of four weeks from the date of receipt of a copy of this order. It is needless to say, whatever the criminal proceeding initiated against the private respondents by the fourth respondent/Tahsildar, the same shall be continued in accordance with law.

With the aforesaid observation and direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VM

To:

1. The commissioner,
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Chennai 05.
2. The Collector,
Chenglepattu Collector office, Chenglepattu
District, Tamil Nadu.
3. The Revenue Divisional officer,
Chenglepattu District, Tamil Nadu.
4. The Tahsildar,
Pallavaram Taluk, Kurinji Nagar, Kanni Koil
street, Chromepet, Chennai 44.



KRISHNAN RAMASAMY J.

VM

5. The Assistant Executive Engineer,
Pallavaram E.B. Campus,
Pallavaram, Chennai.600 043.

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