

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10208 of 2015

and

M.P.No.1 of 2015

Ms.Damana Sukumar

...Petitioner

Versus

1. The District Collector,
Office of the District Collector,
Kanchipuram, Kanchipuram District.

2. The Revenue Divisional Officer,
Tambaram,
Office of the RDO, Tambaram,
Chennai - 600 045.

3. The Tahsildar, Sholinganallur
Office of the Tahsildar,
Sholinganallur,
Chennai - 600 119.

4. Mrs.Chitra

...Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the III Respondent to conduct the enquiry and furnish the enquiry report to the II Respondent as the letter dated 24.01.2015 bearing Na.Ka.2882/2013/A from the II Respondent states that he has not received and report from the III Respondent as called for in his letter dated 19.09.2013 in Na.Ka.No.2882/2013/A pursuant to the petitioner's representation dated 02.08.2013.

For Petitioner

:

Mr.M.K.Kabir, Sr. Counsel
for Mr.T.Jayaraman

For Respondents
1 to 3

:

Mr.S.Pattabiraman
Government Advocate

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner claims that she has purchased lands admeasuring to an extent of 2025 sq.ft., each by way of registered sale deeds dated 15.04.1985 and 16.04.1985, respectively, and she is in absolute possession and enjoyment of the said lands admeasuring to a total extent of 4050 sq.ft. in Plot No.44 comprised in Survey No.95 (Part), 145, Neelangarai Village, Saidapet Taluk, Chengalpet District and the fourth respondent, claiming as the sister of original owners, by virtue of a settlement deed dated 30.06.2010, managed transfer of patta in her name and in this regard, the petitioner has submitted an application/representation dated 02.08.2013, to the 3rd respondent praying for cancellation of patta, transferred in the name of the 4th respondent and for changing the same in her name. The 2nd respondent in turn vide, letter No.Na.Ka.No.2882/2013/A dated 19.09.2013, called for a detailed report from the 3rd respondent and the grievance expressed by the petitioner is that thereafter, nothing fruitful has taken place and therefore, came forward to file this writ petition.

3. Heard the submissions of Mr.M.K.Kabir, learned Senior Counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for respondents 1 to 3.

4. Though, the petitioner has prayed for a larger relief, in the facts and circumstances of this case, this Court is of the view that it would suffice to direct the 2nd respondent to consider and dispose of the application/representation dated 02.08.2013 submitted by the petitioner on merits and in accordance with law, within a stipulated time frame, after hearing the persons concerned.

5. In the result, this Court, without going into the merits of the said application/representation, directs the 2nd respondent to consider and dispose of the application/representation dated 02.08.2013 submitted by the petitioner on merits and in accordance with law, after putting the 4th respondent on notice and pass orders as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner and as well as the 4th respondent.

6. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Office of the District Collector,
Kanchipuram, Kanchipuram District.
2. The Revenue Divisional Officer,
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Office of the RDO, Tambaram,
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3. The Tahsildar, Sholinganallur
Office of the Tahsildar,
Sholinganallur,
Chennai - 600 119.

2 CCs to Mr.T.Jayaraman, Advocate SR.No. 19376

1 CC to the Government Pleader, SR.No. 19885

सत्यमेव जयते

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BR (CO)
PSI (21.04.2015)

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