

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.10348 of 2015
and M.P.No.1 of 2015

Neelan Charitable Trust, Chennai-15
By its President N.Arasu

.. Petitioner

Vs.

1.The District Collector,
Kancheepuram District at
Kancheepuram.

2.The Tahsildar,
Chengleput.

3.K.Kothandam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing respondents 1 and 2 to pass appropriate orders, pursuant to the first respondent's proceedings made in Na.Ka.23256/2014/No.4 dated 27.9.2014 seeking cancellation of patta by affording an opportunity to the third respondent on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar for
Ms.N.R.Jasmine Padma

For Respondents : Mr.S.Pattabiraman,
Government Advocate for R1 and R2

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner claims that it purchased properties situated at No.6, Nandivaram Village in S.No.440A/1A to and extent of 82 cents and developed plots and at that time, 19227 Sq.Ft. of lands were given for establishment of bus terminus and it is also in operation and approved town planning permit and other permissions were also obtained and house sites, after development, were also sold except a few and bus terminus is also used by public. According to the petitioner, legal representatives of the original owner late Mrs.Pattammal have fabricated certain documents and managed to get patta behind the back of the petitioner and in this regard, he has submitted a representation dated 18.02.2013,

followed by a reminder dated 17.09.2014, based on which the District Collector, Kancheepuram directed the Tahsildar, Chengleput to take appropriate action. Since no response is forthcoming, the petitioner came forward to file this writ petition.

3. The learned counsel appearing for the petitioner submitted that inspite of direction given by the first respondent, the second respondent is not taking any action and hence, prays for appropriate orders.

4. This Court heard the submissions of Mr.S.Pattabiraman, learned Government Advocate appearing for the respondents 1 and 2.

5. Though the petitioner has prayed for larger relief, this Court is of the view that it would be suffice to direct the second respondent to consider and dispose of the petitioner representations dated 18.02.2013 and 17.09.2014 on merits and in accordance with law within a stipulated time.

6. Hence, this Writ Petition is disposed of with a direction to the second respondent to consider the representations of the petitioner dated 18.02.2013 and 17.09.2014 on merits and in accordance with law, after giving an opportunity of personal hearing to the representatives of the petitioner as well as the third respondent and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision to the above said parties. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The District Collector,
Kancheepuram District at
Kancheepuram.

2.The Tahsildar,
Chengleput.

+1 cc to Ms.N.R.Jasmine Padma, Advocate, SR.20016

+1 cc to the Government Pleader, SR.19848.

gr(co)

krd 21/4

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