

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.11023 of 2015
and
M.P.No.1 of 2015

S.Ravi

... Petitioner

vs

1. The District Collector
Thiruvallur

2. The Tahsildar
Ambattur, Chennai

3. R.Lakshmi

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 and 2 to issue patta in favour of the petitioner with respect to the land measuring an extent of 960 sq. ft. comprised in S.F.No.1421, Seeyathamman Nagar, No.76, Korattur Village, Ambattur Taluk, Thiruvallur District, bearing Door No.10A, Seeyathamman Nagar (Canal Road), Korattur, Chennai 600 076.

For Petitioner : Mr.V.Premkumar

For Respondents : Mr.V.Subbiah
Special Government Pleader
for RR1 & 2

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ORDER

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

2.The petitioner claims that his father viz. Sadayan, had purchased a land admeasuring to an extent of 960 square feet comprised in S.F.No.1421 Seeyathamman Nagar, No.76, Korattur Village, Ambattur Taluk, Thiruvallur District, bearing Door No.10A,

Seeyathamman Nagar (Canal Road), Korattur, Chennai 76, by means of an unregistered sale deed dated 27.8.2005, and it was gifted by him in favour of the petitioner and thereafter, he put up a RCC roof in the year 2011 on a property measuring 432 square feet and the ration card and all other facilities were provided to him and while so, all of a sudden, he has been issued with a notice under Section 7 followed by another notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, and he has also prayed for issuance of patta in respect of the property in possession. According to the petitioner, the Office of the first respondent vide communication dated 2.3.2015, made in O.M.3986/2015/A1, has asked him to furnish the survey number, in which his property is located, and in response to the same, the petitioner has submitted a representation dated 26.3.2015, to the first respondent and since he has not been favoured with any response, came forward to file this writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.V.Subbiah, learned Special Government Pleader, who accepted notice for the respondents 1 and 2.

4. The learned Special Government Pleader would submit that since the petitioner is an encroacher, proceedings have been initiated under the provisions of Tamil Nadu Land Encroachment Act, 1905.

5. Though the petitioner has prayed for a larger relief, this Court, in the facts and circumstances of the case, is of the view that it would suffice to direct the first respondent to consider and dispose of the reply/representation dated 26.3.2015, submitted by the petitioner, in accordance with law, within a stipulated time.

6. In the result, the writ petition is disposed of and the first respondent is directed to consider the reply/representation dated 26.3.2015, submitted by the petitioner, in accordance with law, after putting on notice, the petitioner as well as the third respondent, and pass orders as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and till such time, shall not dispossess the petitioner, if not already dispossessed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

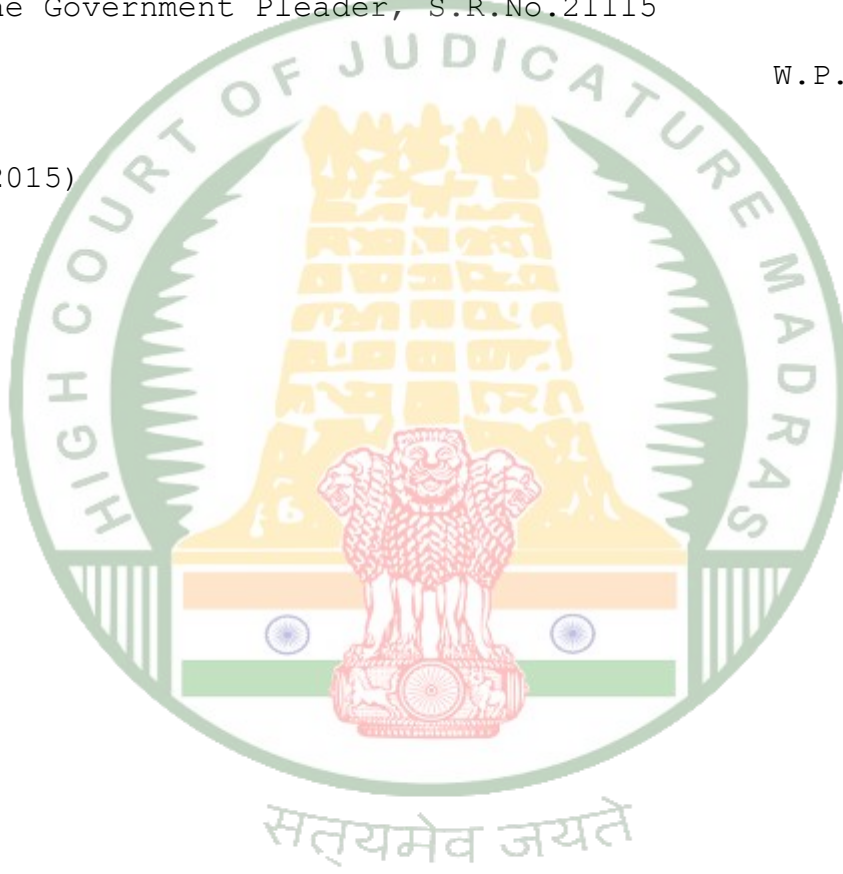
To:

1. The District Collector
Thiruvallur
2. The Tahsildar
Ambattur,
Chennai

+1cc to M/s.V.Prem Kumar, Advocate, S.R.No.20788
+1cc to the Government Pleader, S.R.No.21115

W.P.No.11023 of 2015

CA(CO)
CA(23/04/2015)



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