

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.25905 of 2015

1.D.Devendran
2.D.Loganathan

... Petitioners

Vs

The Tahsildar,
Thiruporur Taluk,
Kancheepuram District

...Respondent

Writ petition has been filed under 226 of the Constitution of India for the issuance of writ of mandamus directing the respondent herein to consider the representation dated 03.03.2014 regarding issuance of patta in favour of the petitioners.

For Petitioners : Mr.M.Shankar

For Respondent : Mr.Digvijayapandiyan,
Addl. Govt. Pleader

ORDER

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

2. Heard Mr.M.Shankar, learned counsel for the petitioners and Mr.M.Digvijayapandian, learned Additional Government Pleader, who takes notice on behalf of the respondent.

3.This writ petition has been filed by the petitioners seeking a writ of mandamus directing the respondent herein to consider the representation, dated 03.03.2014, regarding issuance of patta in favour of them.

4. It is the case of the petitioners that they own lands to an extent of 7.34 cents, in S.F.Nos.432 of 37 and 432 of 43, which they got through partition among the family members, namely, the petitioners and their brother-Sampath. The partition deed was also registered on the file of the Sub Registrar, Thirukkazhukundram, vide Document No.1670 of 2011, dated 24.03.2011 and from that date

onwards, they have been in peaceful possession and enjoyment of the same. It is the grievance of the petitioners that when patta was issued under UDR Scheme, the names of one Balan, Rathnavelu, Ganapathy and Ramalingam were also included. Hence, the petitioners submitted a representation, dated 03.03.2014, to the respondent/Tahsildar, Thiruporur. Thereafter, an enquiry was conducted by the Village Administrative Officer and the Revenue Inspector and they have also submitted their reports on 26.5.2014 and 23.06.2014, respectively. The respondent has also summoned the petitioners for enquiry on 05.08.2014. Since there was no response forthcoming from the respondent, the petitioners are before this Court with this writ petition.

5.It is the specific claim of the petitioners that there is no rival claim and hence there is no impediment for the respondent to consider the representation submitted by the petitioners.

6.Considering the facts and circumstances of the case, the respondent is directed to consider the representation of the petitioners dated 03.03.2014 and pass appropriate orders on merits and in accordance with law, after due notice to the petitioners as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

mmi

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

The Tahsildar,
Thiruporur Taluk,
Kancheepuram District.

+ 1 cc to Mr.M.shankar, Advocate SR 44429

+ 1 cc to Govt.Pleader SR 44450

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