

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.26817 of 2015

T.M.Boopathy

... Petitioner

- Vs -

1.The District Collector
Chennai District,
Chennai-600 001.

2. The Tahsildar,
Velachery Taluk,
Tharamani,
Chennai-600 113.

3.Sankar Rao

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 11.08.2014 and thereby direct the respondents 1 and 2 to cancel the patta issued in the name of the 3rd respondent and issue the patta in the name of th petitioner for the property in Survey No.125/2 and 125/5 in Bimash No.366, 367, 368, 369, 370 and 371 at No.2, Kalashetra Road, Thiruvanmiyur Village, Thiruvanmiyur, Chennai-600 041 to an extent of 0.40 cents in Survey No.125/2 and 0.72 cents in Survey No.125/5 within a stipulated period of time.

For Petitioner

: Mr.M.V.Muralidaran

For Respondents

: Mr.P.Sanjay Gandhi (R1 and R2)
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking direction to the respondents 1 and 2 to consider the petitioner's representation dated 11.08.2014 and also for a direction to the respondents 1 and 2 to cancel the patta issued in the name of the 3rd respondent and issue the patta in the name of th petitioner for the property in Survey No.125/2 and 125/5 in Bimash Nos.366, 367, 368, 369, 370 and 371 at No.2, Kalashetra Road, Thiruvanmiyur Village, Thiruvanmiyur, Chennai-600 041 to an extent of 0.40 cents in Survey No.125/2 and 0.72 cents in Survey No.125/5 within a stipulated period.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

3. Based upon the sale deed and settlement deeds apart from the legal heirship certificate and the certificate issued by the Village Administrative Officer, the petitioner made a representation dated 11.08.2014, to the respondents 1 and 2, alleging that the patta, in respect of the petitioner's property was wrongly issued in favour of the third respondent. Since, the said representation has not been considered till date, the present Writ Petition is filed.

4. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Court directs the second respondent to consider and dispose of the representation of the petitioner dated 11.08.2014, after affording an opportunity of hearing to the petitioner as well as to the third respondent and pass orders within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish a copy of representation dated 11.08.2014 to the second respondent, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1. The District Collector,
Chennai District,
Chennai-600 001.

2. The Tahsildar,
Velachery Taluk,
Tharamani,
Chennai-600 113.

1 cc to Government Pleader. Sr.No.46353

1 cc to Mr.M.V.Muralidaran , Advocate Sr.No.45965

msm(co)pmk.9.9.2015

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