

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2848/2015

A.Prabhakaran

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Petitioner

Versus

1.The District Collector  
Kancheepuram District.

2.The Tahsildar  
Sholinganallur Office  
Chollinganallur Taluk  
Chennai 600 119.

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the petitioner application for issuance of patta for property bearing Survey No.23/1A1, door No.129, Pallikkarana Main Road, Pallikkarana Village, Chennai by considering the representation dated 14.07.2014 made by the petitioner in the light of the Judgment and decree dated 30.04.2014 passed by the learned Principal District Munsif, Alandur in OS.No.577/2011 and in the light of various pattas being granted by the respondents themselves to the adjacent land owners.

For Petitioner : Mr.T.Panchatsaram

For Respondents: Mr.V.Jayaprakash Narayanan  
Special Government Pleader

ORDER

Heard Mr.T.Panchatsaram, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner seeks for issuance of a writ of mandamus to direct the respondents to consider the petitioner application dated 31.12.2014 for issuance of patta for property bearing Survey No.23/1A1, door No.129, Pallikkarana Main Road, Pallikkarana Village, Chennai in the light of the Judgment and decree dated 30.04.2014 passed by the learned Principal District Munsif, Alandur

in OS.No.577/2011 and in the light of various pattas being granted by the respondents themselves to the adjacent land owners.

3.By representation dated 31.12.2014, the petitioner has requested for grant of patta in respect of the property in question. On a perusal of the said representation, it is seen that it is bereft of particulars and there was a civil dispute and the petitioner has approached the civil court concerned and filed a suit in OS.No.577/2011 on the file of the learned Principal District Munsif, Alandur. The defendants are the Tahsildar, Sholinganallur Taluk and the District Collector, Kancheepuram District. The petitioner is said to have obtained a decree of permanent injunction. It is not known as to whether any appeal has been preferred by the District Collector as well as by the Tahsildar as against the said Judgment and decree. In any event, the representation given by the petitioner is bereft of particulars.

4.Therefore, at this juncture, no writ of mandamus as sought for by the petitioner can be granted. However, liberty is given to the petitioner to submit proper representation setting out all details enclosing a copy of the judgment and decree passed by the Civil Court along with a copy of this order to the 2<sup>nd</sup> respondent and if the same is submitted, the 2<sup>nd</sup> respondent shall consider the same and pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above directions. No costs.

Sd/-  
Assistant Registrar  
Dated:6.2.15

True Copy

Sub Assistant Registrar

To

1.The District Collector  
Kancheepuram District.

2.The Tahsildar  
Sholinganallur Office  
Chollinganallur Taluk  
Chennai 600 119.

+1 cc to Mr.T.Panchatsaram, Advocate,SR.6235.  
rv(co)  
krd 6/2

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