

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.29480 of 2015

Bay Resorts Limited
rep by its Chairman Dr.A.Sakthivel
regd. Office No.5/94,
Butt Road,
St.Thomas Mount,
Chennai - 600 016.

... Petitioner

-Vs-

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Chengalpattu District.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to conduct an enquiry on petitioner's representation dated 12.02.2015 and petitioner's objections to the respondent communication dated 20.06.2015 within a time frame of 4 weeks and submit a report on the same to the higher authorities.

For Petitioner : Ms.Ananda Gomathy
For Respondent : Mr.R.A.S.Senthil Vel,
Additional Government Pleader

O R D E R

Basing reliance upon the documents of title, the petitioner made a request to the District Revenue Officer on 12.02.2015 seeking issuance of patta. It is case of the petitioner that the request made was referred to the respondent.

2.It is also seen from the records that even on the very same day (i.e.) on 12.02.2015, the petitioner made a representation to the respondent also. On 20.06.2015, the petitioner made another representation to the respondent for grant of patta as against the claim made by one Viswanatha Gramani and 10 others. The petitioner made an objection to the District Revenue Officer referring to file Na. Ka. No. 5254 of 2013 on 20.06.2015 to remand the said file to the

Revenue Divisional Officer, Chengalpet for re-enquiry. As the said request has not been considered, the present Writ Petition has been filed.

3.The learned counsel for the petitioner submitted that the representation made by the petitioner to the District Revenue Officer dated 20.06.2015, was referred to the respondent. Thus, the learned counsel submitted that the respondent will have to consider the objections of the petitioner before taking a final decision.

4.Though it is stated by the petitioner that the matter is to be considered by the respondent, the same is not clear from the records. Be that as it may, if the pending representation is to be considered by the respondent as against the claim said to have been made by the other private persons, appropriate orders will have to be passed only after hearing the petitioner's objections.

5.Accordingly, a direction is issued to the respondent to dispose of the claim made by the 3rd parties, after considering the objections of the petitioner, pursuant to the representation dated 20.06.2015 and the representation dated 12.02.2015, before passing appropriate final orders. The respondent will have to complete the said exercise within a period of eight weeks from the date of receipt of a copy of this order, after due notice to the 3rd parties as well as to the petitioner in the light of the discussion made above. It is made clear that if the final orders are already passed on the request made by the 3rd parties, the above direction need not be complied with.

6.The Writ Petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

va
To

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Chengalpattu District.

+1 cc to Mr.AnandaGomathy,Advocate(sr.50874)
+1 cc to Government Pleader (sr.51390)

W.P.No. 29480 of 2015

ctk(co)
cp 05/10/2015