

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.19740 of 2014

Ahamed Sherif

...Petitioner

vs.

1 The District Collector
District Collector Office
Chennai District
Chennai.

2 The Thasildar
Taluk Office
Mambalam-Guindy Taluk
K.K. Nagar, Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the 2nd respondent to issue patta to the petitioner in pursuance of the order passed by the Commissioner of Survey and Settlement, Chennai on 28.09.2011 and the representation of the petitioner dated 18.04.2014.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.R.Vijayakumar,
AGP

O R D E R

Heard Mr.S.Muthukrishnan, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents and with the consent of the learned counsel on either side, the Writ Petition itself is taken up for disposal.

2. The petitioner seeks for a direction to the second respondent to issue patta to him pursuant to the order passed by the Commissioner of Survey and Settlement, Chennai on 28.09.2011, by considering his representation dated 18.04.2014.

3. The petitioner has submitted the representation by placing reliance on the order passed by the Commissioner of Survey and Settlement dated 28.09.2011, wherein the Commissioner has issued the following direction:

"Therefore, the order of Settlement Tahsildar is liable to be cancelled. But it is considered that after a period of more than 50 years, the action of cancelling the ryotwari patta issued by the Settlement Tahsildar will create severe law and order problems. Therefore, it is decided to issue ryotwarit patta only to the lands remained vacant at present and accordingly the powers will vested under Section 5(2) of the Tamil Nadu Estates (abolition and conversion into Ryotwari) Act XXVII/1948, ryotwari patta is issued to the plots 7/2, 7/3, 7/6, 7/19, 7/29, 7/37 comprised in T.S.No.7 of Block No.14 situated at Adyar village of Guindy-Mambalam Taluk in Chennai District in favour of Revision Petitioner."

4. Since the representation is pending with the second respondent, the second respondent is directed to consider the petitioner's representation dated 18.04.2014 and pass orders on merits and in accordance with law, after issuing notice to the petitioner and after affording an opportunity of personal hearing, 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 direction. No costs.

Sd/-
Assistant Registrar (LA)

//True Copy//

Sub Assistant Registrar

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ajr

To

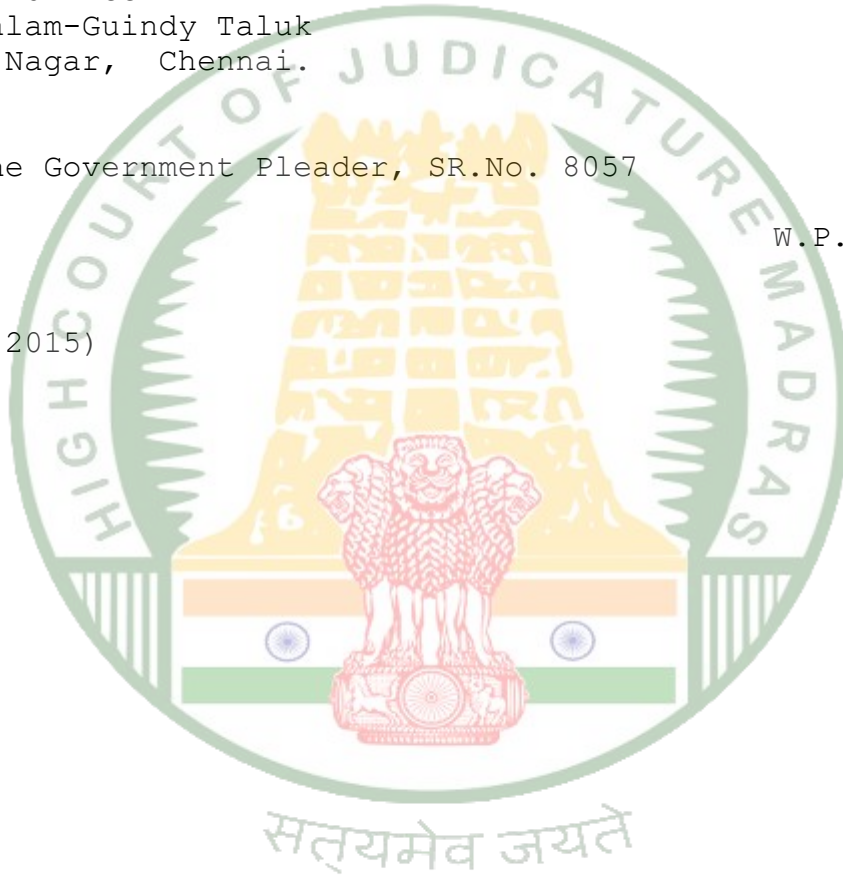
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1 CC to the Government Pleader, SR.No. 8057

W.P.No.19740 of 2014

CA (CO)
PSI (05.03.2015)



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