

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No. 35034 of 2015

K.Venugopal

...Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Tahsildar,
Kancheepuram District,
Kancheepuram

...Respondents

This petition is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to conduct enquiry vide Pro.Na.Ka.No. 5995/2014/A2 dated 22.03.2014 of the 1st respondent and to issue patta to the lands comprised in Survey No. 890, measuring to an extent of 5.15 Acres situated at Paranthur Village, Kancheepuram Taluk and District, originally assigned and allotted to the petitioner's father Mr.Kuppan in the year 1979 as per G.O.Ms.No.1270 Revenue Department dated 12.06.1979 within the time stipulated by this Court.

For Petitioner : Mr.S.Thamaraiselvan
For Respondents : Mr.S.V.Duraisalaimalai,
Addl. Government Pleader

सत्यमेव जयते
ORDER

Heard Mr.S.Thamaraiselvan, the learned counsel for the petitioner and Mr.S.V.Duraisalaimalai, learned Additional Government Pleader, who accepts notice for the respondents and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner claims that he is the son of Late Mr.Kuppan, an Ex-serviceman and it is the further case of the petitioner that his father was allotted an extent of 5.15 acres of land in Survey No. 890 of Paranthur Village, Kancheepuram Taluk and District. It is the admitted case of the petitioner that during the lifetime of his father, no Patta was granted to

him and his father died on 10.11.1994 and as per the legal heirship certificate issued by the Tahsildar, Egmore-Nungambakkam Taluk, there are ten legal heirs. However, the petitioner alone has approached this Court by way of this writ petition claiming that he has given a representation for grant of patta.

3. First of all it has to be seen as to whether the petitioner's father was entitled for grant of patta and whether there was any valid allotment of land under the category for ex-serviceman. Only then, there will be some semblance of right on his legal representatives. However, this issue need not be gone into at this stage and it is suffice to direct the second respondent to consider the petitioner's representation dated 24.2.2014, as forwarded by the District Collector, vide his proceedings dated 22.3.2014 and pass orders on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

msh/rms

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Tahsildar,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.R. Thamarai Selvan, Advocate, S.R.No.59995
+1cc to the Government Pleader, S.R.No.60116

MG(CO)
EU(06/11/2015)

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