

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.5071 of 2015 and
M.P.No.1 of 2015

S.Sebastian

...Petitioner

Vs

1.The State of Tamilnadu,
Rep. by its Secretary,
Revenue Department,
Fort St.George, Chennai - 600 009.

2.The District Collector,
Office of the Collectorate,
Chennai - 600 001.

3.The Chairman,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.

4.The Tahsildar Mambalam-Guindy,
Tahsildar Office, K.K.Nagar,
Chennai - 600 078.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, to direct the respondents particularly the District Collector, Chennai - 600 001 and the Tahsildar, Mambalam Guindy Tahsildar Office, K.K.Nagar, Chennai - 600 078 to grant patta in respect of the petitioner plot No.82 in Survey No.394 an extent of 720 sq.ft at Dr.Jahir Hussain Street, M.G.R.Nagar, Chennai - 600 078 forthwith.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.M.L.Mahendran,

Government Advocate for R1, R2 and R4
Mr.V.Babu for R3

O R D E R

The above writ petition has been filed by the petitioner to issue a writ of mandamus, directing the respondents, particularly, the District Collector, Chennai - 600 001 and the Tahsildar, Mambalam Guindy Tahsildar Office, K.K.Nagar, Chennai - 600 078 to grant patta in respect of the petitioner's plot No.82 in Survey No.394 measuring an extent of 720 sq.ft at Dr.Jahir Hussain Street, M.G.R.Nagar, Chennai - 600 078.

2. It is the case of the petitioner that the 4th respondent issued patta to several persons, who were allotted plots by Tamil Nadu Slum Clearance Board, the third respondent herein. However, the 4th respondent has not issued patta to the petitioner so far. In these circumstances, the petitioner gave a representation to the 4th respondent on 04.09.2014 for issuance of patta. However, even after a lapse of nearly six months, the 4th respondent has not considered the representation given by the petitioner for issuance of patta in respect of his property.

3. Mr.M.L.Mahendran, learned Government takes notice for respondents 1, 2 and 4 and submitted that the 4th respondent may be directed to consider the representation dated 04.09.2014 given by the petitioner on merits and in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 4th respondent to consider the representation dated 04.09.2014 filed by the petitioner on merits and in accordance with law, after giving notice to all the respondents in this writ petition and pass appropriate orders within a period of four months from the date of receipt of a copy of this order.

5. With this observation, the writ petition is disposed of. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki
To

- 1.The State of Tamilnadu,
Rep. by its Secretary, Revenue Department,
Fort St.George, Chennai - 600 009.
- 2.The District Collector,
Office of the Collectorate, Chennai - 600 001.
- 3.The Chairman, Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai - 600 005.
- 4.The Tahsildar Mambalam-Guindy, Tahsildar Office, K.K.Nagar,
Chennai - 600 078.

W.P.No.5071 of 2015

rj(co)
eU 11.03.2015