

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6798/2015 & MP.No.1/2015

Mrs.A.Durga Lakshmi

...Petitioner

Versus

1. The Special Tahsildar
Urban Land Tax Scheme
Revenue Division,
Corporation of Chennai
Zone-12, Alandur,
chennai 16.
2. The Tahsildar
Alandur Taluk
1st Main Road,
Nanganallur, Chennai-61.
3. V.Vishnudharan

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to consider and pass order on the application given by the petitioner on 10.01.2014 and consequential relief by way of direction to issue a patta in favour of the petitioner namely Mrs.A.Durga Lakshmi pertaining to the petition property situated at Door No.3J, West Raja Street, St.Thomas Mount Village, Comprised in S.No.1398/2 Alandur Taluk, Kanchipuram District, Saidapet Joint II Registration, South Chennai Registration District, measuring an extent of 594 sq.ft.

For Petitioner : Mr.T.Ramachandran

For R1 : Mr.P.V.Selvakumar

For R2 : Mr.S.Gunasekaran, AGP

ORDER

Heard Mr.T.Ramachandran, learned counsel appearing for the petitioner ; and Mr.P.V.Selvakumar, learned standing counsel accepting notice for the 1st respondent and Mr.S.Gunasekaran, learned Government Advocate accepting notice for the 2nd respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2.Since the writ petition is disposed of at the admission stage itself, notice to the 3rd respondent is dispensed with and the merits of the allegation made by the petitioner as against the 3rd respondent is not gone into and it is left open to the 1st respondent to consider the same in accordance with law.

3.The petitioner seeks for a direction to the 1st respondent to consider and pass order on the application given by the petitioner on 10.01.2014 and consequential relief by way of direction to issue a patta in favour of the petitioner namely Durga Lakshmi pertaining to the petitioner property situated at Door No.3J, West Raja Street, St.Thomas Mount Village, Comprised in S.No.1398/2 Alandur Taluk, Kanchipuram District, Saidapet Joint II Registration, South Chennai Registration District, measuring an extent of 594 sq.ft.

4.According to the petitioner, the 3rd respondent is objecting to the grant of patta in favour of the petitioner. In this regard, it is seen that the 2nd respondent has issued a notice dated 05.09.2014 to the petitioner as well as to the 3rd respondent and directed the parties to appear on 24.09.2014 at 4.00 p.m. along with all the records pertaining to the property.

5.Learned counsel for the petitioner submitted that the petitioner attended the enquiry ; but the 3rd respondent is not cooperating. However, there is no such statement in the affidavit filed in support of this writ petition. Be that as it may, since the 1st respondent has already initiated enquiry proceedings, the same should be taken to the logical end.

6.Hence, there will be a direction to the 1st respondent to issue fresh notice to the petitioner as well as to the 3rd respondent, hear the parties and proceed in accordance with law within a period of three months from the date of receipt of a copy of this order.

7.The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Special Tahsildar
Urban Land Tax Scheme
Revenue Division,
Corporation of Chennai
Zone-12, Alandur,
chennai 16.
2. The Tahsildar
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1 CC to Mr.T.Ramachandran, Advocate SR.No. 13526

1 CC to the Government Pleader, SR.No. 13927

WP.No.6798/2015

BVR (CO)

PSI (20.03.2015)

सत्यमेव जयते

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