

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.6930 of 2015

A.K.Balakrishna Pillai
(Senior Citizen)

.. Petitioner

Vs.

1.The Collector,
Collector of Chennai,
Singaravelar Maligai, Rajaji Road,
Chennai - 1.

2.The District Revenue Officer,
Singaravelar Maligai, Rajaji Road,
Chennai - 1.

3.The Tahsildar,
Egmore-Nungambakkam Taluk,
Egmore, Chennai - 8.

4.Gowri Bai

5.Shanthi

6.Vitta Bai

.. Respondents

(R4 to R6 impleaded vide order
dated 19.03.2015 in M.P.No.1 of 2015
in W.P.No.6930 of 2015)

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to pass order on the basis of the petitioner's representation dated 03.03.2014 without any delay in respect of the said property bearing Door No.1, Devaki Ammal Street, Shenoy Nagar, Chennai - 30 and Door No.12, Convent Street (Orphan School Road), Shenoy Nagar, Chennai - 30.

For Petitioner : Mr.R.S.Mohan

For Respondents: Mr.S. Diwakar,
Addl. Govt. Pleader for R1 to R3
R4 to R6 - No appearance

ORDER

The petitioner gave a representation on 03.03.2014, seeking cancellation of patta, said to have been wrongly issued in favour of the private respondents. It is submitted that the said patta has been obtained fraudulently by using the wrong legal heirship certificate. The legal heirship certificate issued wrongly was also cancelled. The civil suit between the petitioner on the one hand and the private respondents on the other hand also ended in favour of the petitioner. Despite the same, the second respondent has not concluded the enquiry and thereafter, cancelled the patta given in favour of the private respondents.

2.Considering the submissions made and taking note of the fact that the representation is pending consideration with the second respondent, by which cancellation of patta issued in favour of the private respondents is sought for, the said authority is directed to conduct an enquiry and conclude the same within a period of eight weeks from the date of receipt of a copy of this order, after hearing the petitioner as well as the private respondents. The second respondent will have to consider the civil suits as well as the earlier orders passed including the cancellation of the legal heirship certificate while passing appropriate orders.

3.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Collector,
Collector of Chennai,
Singaravelar Maligai, Rajaji Road,
Chennai - 1.

2.The District Revenue Officer,
Singaravelar Maligai, Rajaji Road,
Chennai - 1.

3.The Tahsildar,
Egmore-Nungambakkam Taluk,
Egmore, Chennai - 8.

+lcc to M/s. R.S. Mohan, Advocate, S.R.No.40141
+lcc to Mr.Karan & Uday, Advocate, S.R.No.40851
+lcc to the Government Pleader, S.R.No.40399

UG(CO)
EU(10/08/2015)

W.P.No.6930 of 2015

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