

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13114 of 2016

1 D.Selvaraj ... Petitioner

Vs.

1 The District Collector
Kancheepuram District
Kancheepuram

2 The Revenue Divisional Officer
Sriperumbudur Division
Kancheepuram

3 The Tahsildar
Sriperumbudur Taluk
Sriperumbur

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 3rd respondent to issue patta to the petitioner on the basis of the application dated 6.8.2012 for the land in Survey No.77/4 in Plot Nos. 24, 25, 26 comprised in an area of 10,228 sq.ft. situated in Perinjambakkam Village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.D.Damodaran

For Respondents : Mr.V.Jayaprakash Narayanan
Additional Government Pleader

O R D E R

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the third respondent to issue patta to the petitioner on the basis of his application dated 6.8.2012 for the land in Survey No.77/4 in Plot Nos. 24, 25, 26 comprised in an area of 10,228 sq.ft. situated in Perinjambakkam Village, Sriperumbudur Taluk, Kancheepuram District.

2. The case of the petitioner is that the property situated in Survey No.77/4 in Plot Nos. 24, 25, 26 comprised in an area of 10,228 sq.ft. within the control of Sriperumbudur Sub

Registration District in Perinjambakkam Village, Sriperumbudur Taluk, Kancheepuram District, which earlier came under the jurisdiction of erstwhile Chengelpet District, was purchased by the petitioner on 10.12.1982 vide Document No.7395 of 1982. The petitioner applied for Patta before the Tahsildar, Sriperumbudur on 6.8.2012, by paying the requisite fees and the same was acknowledged by the Village Administrative Officer, Perinjambakkam. Thereafter, he approached the third respondent on several occasions and met the concerned Taluk Surveyor. Whenever he met the Taluk Surveyor, he replied that he would visit the property and measure the land. Even after three years have lapsed, neither the third respondent nor the Taluk Surveyor have taken any steps to issue patta. Therefore, on 21.12.2015, he forwarded a representation to the first and second respondents, to give suitable direction to the third respondent to consider his request for issuing patta. Since no fruitful action is taken on the said representation, he has come up with this writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case and without going into the merits of the case, this Court directs the third respondent/Tahsildar to consider the application of the petitioner dated 6.8.2012 with regard to issuance of Patta in respect of the property in Plot Nos. 24, 25, 26 in Survey No.77/4 measuring to an extent of 10,228 sq.ft. situated in Perinjambakkam Village, Sriperumbudur Taluk, Kancheepuram District, by affording an opportunity of personal hearing to the petitioner as well as the necessary parties, if any, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the third respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ajr

To

1 The District Collector
Kancheepuram District
Kancheepuram

2 The Revenue Divisional Officer
Sriperumbudur Division
Kancheepuram

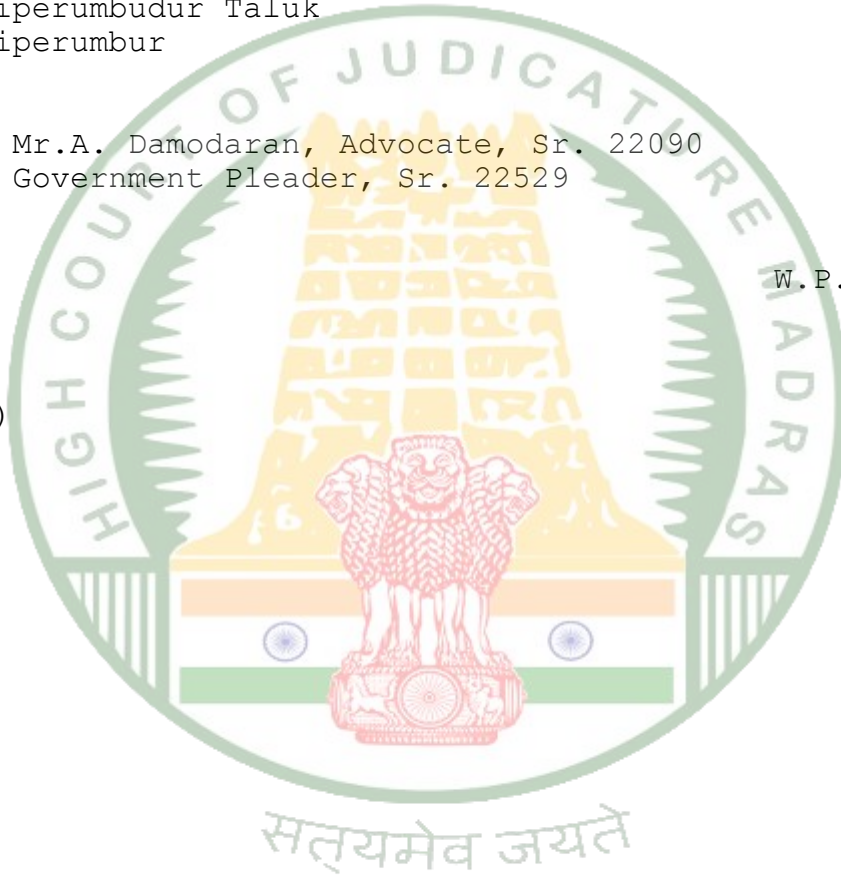
3 The Tahsildar
Sriperumbudur Taluk
Sriperumbur

1 cc to Mr.A. Damodaran, Advocate, Sr. 22090

1 cc to Government Pleader, Sr. 22529

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