

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13195 of 2016

1 Nagaveni ... Petitioner

Vs.

1 The Thasildar
Taluk Office
Sulur, Coimbatore District

2 The District Collector
Collectorate Coimbatore

3 The Information Commission
No.2, Thiyagarayar Salai
Chennai 18

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to issue patta to the petitioner in property S.R. No. 6/2, 6/3 Kangayampalayam, Sulur Taluk, totally 5.63 acres.

For Petitioner : Mr.M.Liagat Ali

For Respondents : Mr.M.Dig Vijay Pandian
Additional Government Pleader

सत्यमेव जयते
O R D E R

The prayer in the writ petition is for a Writ of Mandamus, directing the first respondent to issue patta to the petitioner in respect of her property in S.R. No. 6/2, 6/3 situated in Kangayampalayam, Sulur Taluk, totally measuring an extent of 5.63 acres.

2. The case of the petitioner is that the above property belongs to her and she has been in possession and enjoyment of the same for a very long period. She submitted an application for issuance of patta in August, 2014. On 19.12.2014, the petitioner's husband, an advocate by profession, has submitted an application to the first respondent, requesting him to issue a patta in the name of the petitioner. In this regard, he again

sent a letter dated 14.2.2015 to the Information Commissioner, Thenapet, Chennai 18. Since the same was not considered, he filed a writ petition before this Court in W.P.No.13147 of 2015 to consider his representation. This Court by order dated 29.4.2015 directed the first respondent to dispose of his representation dated 14.2.2015, within a period of twelve weeks. Thereafter, the first respondent by letter dated 17.7.2015 directed the petitioner to appear before him for enquiry with all records on 11.8.2015. In response to that, she appeared and produced all the title deeds before the first respondent. But, the first respondent, without furnishing patta, is delaying the matter for extraneous reasons. Hence, she is compelled to approach this Court once again for issuance of patta.

3. Heard the learned counsel for the petitioner and Mr.M.Dig Vijay Pandian, learned Additional Government Pleader appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the first respondent to consider the application of the petitioner dated August, 2014, and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as the necessary parties, if any, 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 first 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ajr

To

1 The Thasildar
Taluk Office
Sulur, Coimbatore District

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2 The District Collector
Collectorate Coimbatore

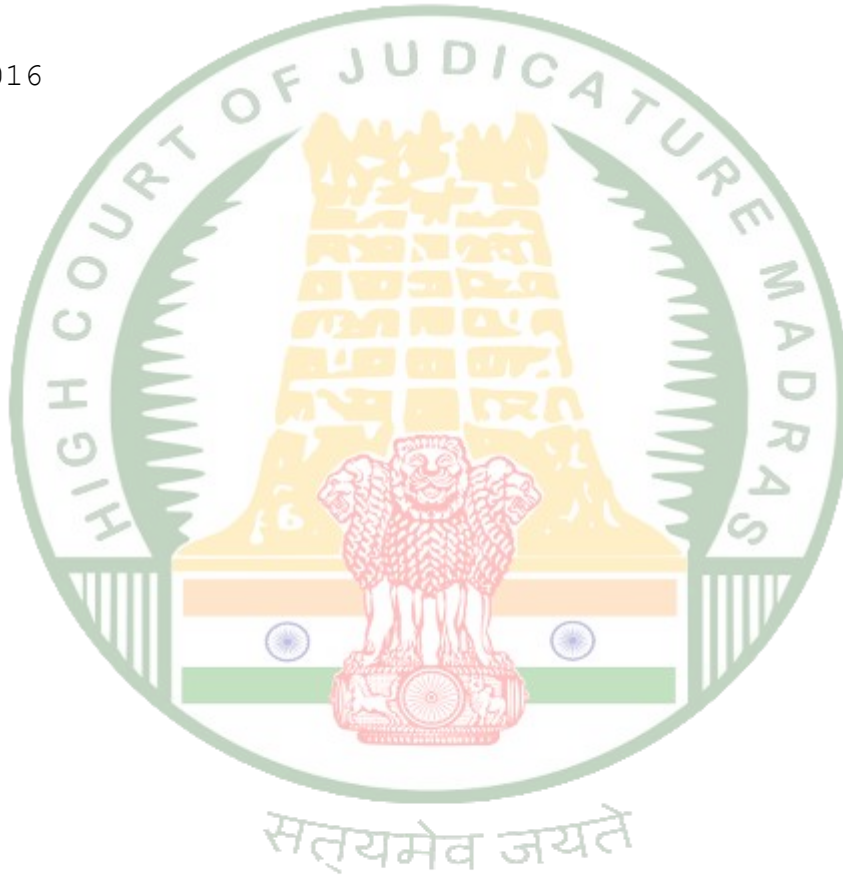
3 The Information Commission
No.2, Thiyagarayar Salai
Chennai 18

+1 cc to Government Pleader sr.22490

+1 cc to Mr.M.Liagat Ali Advocate sr.22142

W.P.No.13195 of 2016

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