

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13914 of 2016

P.S.Kannayan

... Petitioner

vs.

The Tahsildar,
Sholinganallur Taluk,
Kancheepuram,
Kancheepuram District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the petitioner's representation dated 23.1.2016 within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.P.Sam Japa Singh
For Respondent : Mr.V.Jayaprakash Narayanan,
Spl. Govt. Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider his representation dated 23.1.2016 within a reasonable period as may be fixed by this Court.

3. It is the case of the petitioner that he purchased a land measuring to an extent of 814 sq.ft. in Survey No.17/1B1 at Palavakkam Village, now Sholinganallur Taluk, Kancheepuram District, East Coast Road, South Chennai, from one P.G.Sundara Ramanujulu by sale deed dated 1.6.1981 registered as document No.2354/1981. From the date of purchase, the petitioner is in possession and enjoyment of the same. Subsequently, he constructed a shop measuring to an extent of 167 sq.ft. at Old No.1/132, New No.1/204 and the same was let out to one New Srinivasa Medical Stores. The petitioner is paying all the taxes and the revenue records are also standing in his name. On

18.5.2015, he gave an application along with necessary documents to the Village Administrative Officer for issuance of patta in his name in respect of the said property. On receipt of the same, the Village Administrative Officer issued a receipt in Sl.No.165, RPT No.951/2015 dated 18.5.2015 and handed over the same to the Surveyor. The Surveyor also came to his property and surveyed the land. However, till date, patta was not given to the petitioner. In this regard, he gave a representation dated 23.1.2016 to the respondent. But, the same was also not considered till date. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondent.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to consider the representation of the petitioner dated 23.1.2016 and pass appropriate orders / take necessary action, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to 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 merits of the claim projected by the petitioner and it is for the 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.
sbi

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

The Tahsildar,
Sholinganallur Taluk,
Kancheepuram,
Kancheepuram District.

+ 1 cc to M/s.P.Sam Japa Singh, Advocate SR 24129

+ 2 ccs to the Govt.Pleader High Court, Madras SR 23868,23873

ppa (co)
prk27/4

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