

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.16193 of 2016

S.V.Kannan

... Petitioner

vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The District Revenue Officer,
Ponneri Taluk,
Thiruvallur District.

3.The Tahsildar,
Ponneri Taluk,
Ponneri, Thiruvallur District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the 3rd respondent to consider the representation dated 03.03.2016 sent by the petitioner to him.

For Petitioner : Mr.K.Rajasekaran

For Respondents : Mrs.M.E.Raviselvam, AGP.

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the 3rd respondent to consider his representation dated 03.03.2016 and pass appropriate orders.

2. It is the case of the petitioner that originally, the Grama Natham land measuring to an extent of 45 cents i.e., 19620sq.ft/1823.42 sq.mt., out of 4.57 acres in S.No.106, at No.36 Karungali Village, Ponneri Taluk, Thiruvallur District belonged to one K.A.Krishnanandam and his brothers, who subsequently, sold the same to one Meriyar Fernandes by a sale deed registered as Document No.3784/1988 dated 05.10.1988. Thereafter, the petitioner purchased the said property from the said Meriyar Fernandes vide a sale deed

dated 13.05.2015 registered as Document No.5339/2015. From the date of purchase, he has been in possession and enjoyment of the same, without any interruption. He is also paying the taxes regularly. While so, he made an application seeking patta to the third respondent. As there was no response, he approached the respondents 1 and 2 to direct the third respondent to issue patta in respect of his property. Even thereafter, there was no response with regard to the petitioner's request. Hence, he submitted a representation dated 03.03.2016 to the third respondent enclosing all the required documents in support of his request. However, till date, no order has been passed by the third respondent. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents.

4. Considering the limited nature of the relief sought for herein, this Court directs the third respondent to conduct enquiry on the petitioner's representation dated 03.03.2016, by affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders with regard to grant of patta in respect of the petitioner's property. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the third respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The District Revenue Officer,
Ponneri Taluk,
Thiruvallur District.

3.The Tahsildar,
Ponneri Taluk,
Ponneri, Thiruvallur District.

1 cc to Mr.K. Rajasekaran, Advocate, Sr. 27095
1 cc to Government Pleader, Sr. 27408

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