

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM:

THE HON 'BLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.21557 of 2016

and W.M.P.No.18434 of 2016

1. V.Rajarathinam

2. Tmt. R.Aline

... Petitioners

Versus

1. The District Collector,
Tiruvallur District, Tiruvallur

2. The Revenue Divisional Officer,
Tiruvallur District, Tiruvallur

3. The Tahsildar,
Tiruvallur District, Tiruvallur

4. Thiru S.Rajan

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the official respondents to consider the petitioners' representations, dated 26.01.2016 and 01.03.2016 and conduct the enquiry and cancel the patta granted in favour of the fourth respondent with respect to the land comprised in Survey No.292/1A over an extent of 3870 sq.ft., in Poondi Village, Tiruvallur Taluk and District.

For Petitioners : Mr. M.Muthappan

For Respondents : Mr. K.Thangapandi,
Govt. Advocate, for R-1 to R-3

सत्यमेव जयते

O R D E R

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

2. The petitioners would state that the land comprised in Survey No.292/1A, ad-measuring to an extent of 3,870 sq.ft., in Poondi Village was classified as Village Site and was enjoyed by Mr.K.Wilson, his daughter, Tmt.Rina and Tmt. Sani, for many years and they have inherited the said land from their predecessor in title. The second petitioner had purchased 1,935 sq.ft., i.e., half of total extent by a registered sale deed, dated 25.06.2009, for a valuable consideration and the remaining half of the land was purchased by the first petitioner, through an unregistered sale deed.

3. When the petitioners had approached the jurisdictional Revenue Authority for grant of patta, they came to know that the fourth respondent has obtained Patta No.346 in his favour. The petitioners, in this regard, have submitted a representation, dated 20.01.2016 to the third respondent and a representation, dated 01.03.2016, to the second respondent, praying for cancellation of patta granted in favour of the fourth respondent and the issuance of patta in the petitioners' name and since no response is forthcoming, the petitioners came forward to file this writ petition.

4. Heard the submissions of the learned counsel for the petitioners and the learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3.

5. Though the petitioners prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the second respondent to consider the petitioners' representation, dated 01.03.2016, in accordance with law, after putting on notice the fourth respondent and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the fourth respondent.

6. The writ petition is disposed of accordingly. No costs. Consequently, the connected WMP is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The District Collector,
Tiruvallur District, Tiruvallur
2. The Revenue Divisional Officer,
Tiruvallur District, Tiruvallur
3. The Tahsildar,
Tiruvallur District, Tiruvallur.

+1 cc to M/s.M.Muthappan, Advocate, SR.35242

+1 cc to Govt.Pleader, SR.35151.

ctk(co)
krd 13/7

W.P.No.21557 of 2016
& W.M.P.No.18434 of 2016