

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.No.14388 of 2010

P.Thiruvengadam

...Petitioner

-Vs-

1. The State,
rep. By the Secretary to Govt.,
Revenue Department,
Secretariat,
Chennai 600 009.

2. The Collector,
Kanchipuram,
Kanchipuram District.

3. The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent herein to grant patta to the petitioner's property in Survey No.386/2B, bearing door No.28/57, Pillaiar Koil Street, Lakshmipuram, Chromepet, Chennai-44 by considering the petitioner's representation dated 10.2.2010.

For Petitioner : Mr.R.S.Mohan

For Respondents : Mr.P.Sanjay Gandhi, AGP

ORDER

Writ petition is for a mandamus directing the 2nd respondent to grant patta to the petitioner's property in Survey No.386/2B, bearing door No.28/57, Pillaiar Koil Street, Lakshmipuram, Chromepet, Chennai-44 by considering the petitioner's representation dated 10.2.2010.

2. Heard both sides.

3. The petitioner submits that he is residing in the subject land for more than 30 years and according to him, it is a private land and he purchased the same, lawfully from his vendor and therefore, he is entitled for the patta for the said place.

4. Per contra, the learned Additional Government Pleader submits that the ownership is disputed and seeking issuance of patta is not a matter of right. The learned Additional Government Pleader further submits that moreover, the representation of the petitioner dated 10.2.2010 was said to be given to the 3rd respondent, who is the Tahsildar, Tambaram Taluk whereas the concerned Tahsildar is Tahsildar, Pallavaram under whose jurisdiction, the land comes.

5. In view of the said facts, this Court is of the view that a

direction can be given to the 3rd respondent to forward the representation of the petitioner dated 10.2.2010 to the concerned Tahsildar for appropriate action. The concerned Tahsildar, namely, the Tahsildar, Pallavaram Taluk on receipt of the representation forwarded by the 3rd respondent will dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also permitted to send a copy of the representation dated 10.2.2010 already addressed to the 3rd respondent to the concerned Tahsildar as an advance copy for consideration and it is made clear that the concerned Tahsildar can also act as per the directions given above on receipt of the copy of the representation from the petitioner directly without waiting for the same being forwarded by the 3rd respondent.

6. Writ petition is disposed of with the above directions. No costs.

Index: Yes/No
Internet: Yes/No
kua

17.10.2016

R.SURESH KUMAR,J.

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To

1. The Secretary to Govt.,
Revenue Department,
Secretariat,
Chennai 600 009.

2. The Collector,
Kanchipuram,
Kanchipuram District.

3. The Tahsildar,
Tambaram Taluk,
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