

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.34142 of 2013

R.Vinayagam

... Petitioner

Vs.

The Tahsildar
Poonamallee Taluk,
Trunk Road,
Poonamallee, Chennai-56.

... Respondent

Writ petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to issue patta residential plot measuring 1932 in Survey No.82/1 present Survey No.132/2 Gramma Natham at Vellalar Street, Seennerkuppam Village, Poonamallee Taluk, Thiruvallur District based on petitioner's request to the respondent on 21.05.2013 in Jamabadi organized by the Revenue Department.

For Petitioner : Mr.B.Manoharan

For respondent : Mr.V.Jayaprakash Narayanan,
Spl.GP.

O R D E R

The petitioner has come forward with the present Writ Petition seeking for issuance of Mandamus to direct the respondent to issue patta for residential plot measuring 1932 in Survey No.82/1 present Survey No.132/2 Gramma Natham at Vellalar Street, Seennerkuppam Village, Poonamallee Taluk, Thiruvallur District based on petitioner's request to the respondent on 21.05.2013 in Jamabadi organized by the Revenue Department.

2.The petitioner purchased a residential plot measuring 1932sq.ft in S.No.82/1 present Survey No.132/2 Gramma Natham at Vellalar Street, Sennerkuppam Village, Poonamallee. Thereafter, in the year 1994, the petitioner constructed a house and residing there from 1995 onwards with his family. The petitioner was approaching the respondent authorities from 2000 onwards for issuance of patta to the above said property. The petitioner states that the Government has also passed

GO.Ms.No.854 dated 30.12.2006 for issuance of patta to the persons who are residing in the Government land for more than ten years. The petitioner submitted a representation dated 15.04.2008 in the Jamabandhi organised by the Revenue department. But the same was not considered.

3.Hence, once again, the petitioner submitted another representation in the Jamabandhi organised in the village, by the Revenue Department on 21.05.2013 and also remitted a sum of Rs.40/- as directed by the respondent, but till date no action was taken for issuance of patta. Hence, the petitioner filed the present writ petition.

4.Heard the rival submissions made on both sides.

5.Considering the facts and circumstances and without going into the merits of the claim of the petitioner, this Court directs the petitioner to submit fresh representation alongwith the copy of this order before the respondent, within two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to consider the representation of the petitioner, on merits and in accordance with law, within a period of six weeks, thereon, after affording opportunity of personal hearing to the petitioner as well as to other necessary parties, if any. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

6.The writ petition is disposed of accordingly. No costs.
tsh

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

The Tahsildar
Poonamallee Taluk,
Trunk Road,
Poonamallee, Chennai-56.

+ 1 cc to Govt.Pleader SR 21306

sai(co)
prk25/4

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