

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27364/2016

B.Narayanan

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Petitioner

Versus

1.The District Collector
Thiruvallur.

2.The Tahsildar
Ponneri-601204.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to sub divide and issue patta for the properties referred to in the enclosed Annexure A.

For Petitioner : No appearance

For Respondents : Mr.P.Sanjay Gandhi, AGP

ORDER

The petitioner / party-in-person is called absent.

2 A perusal of the affidavit filed in support of this writ petition would disclose among other things, the petitioner claims to be the absolute owner as well as the joint owner of the following properties:-

[a] Plot No.128A, Sakthi Garden West, S.No.120/2C, in patta No.108, 123, Kummanoor Village, Ponneri Taluk, Thiruvallur District, Redhills sub registration District, North Chennai Registration District, measuring about 1860 sq.ft. The said property was acquired by way of sale deed No.12975 of 2012 ;

[b] Plot No.95A, Sakthi Garden West, S.No.120/2C, in patta No.108, 123, Kummanoor Village, Ponneri Taluk, Thiruvallur District, Redhills sub registration District, North Chennai Registration District, measuring about

1530 sq.ft. The said property was acquired by way of Sale Deed No.2005 of 2014 ; and

[c] Plot No.139, Sakthi Garden West, S.No.120/2B, in patta No.151, Survey No.120/2C in patta No.108, Survey No.118/1, in Patta No.105, 123, Kummanoor Village, Ponneri Taluk, Thiruvallur District, Redhills sub registration District, North Chennai Registration District, measuring about 1659 sq.ft. The said property was acquired by way of Sale Deed No.12974 of 2012.

The petitioner claims that ever since the date of purchase of the said properties, he is in possession and enjoyment of the same and on 07.11.2014, he had applied for sub division and also for issuance of patta and however, no response is forthcoming and the petitioner in this regard, has also invoked the provisions of the Right to Information Act, 2005, to know the fate of his application and since no response is forthcoming, he came forward to file the present writ petition.

3 This Court heard the submissions of Mr.P.sanjay Gandhi, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, permits the petitioner to submit a reminder to the respondents 1 and 2 along with a copy of this order as well a copy of his application dated 07.11.2014 within a period of two weeks from the date of receipt of a copy of this order and the 2nd respondent on receipt of the same, is directed to consider the application of the petitioner dated 07.11.2014 as well as the reminder representation in accordance with law, after putting on notice, the person/s concerned and pass orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

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

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The District Collector
Thiruvallur.

2.The Tahsildar
Ponneri-601204.

+ 1 cc to Mr.B.Narayanan, Party in person SR 45007

+ 1 cc to Govt.Pleader SR 44887

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