

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30781 of 2016

Varadaiah

... Petitioner

Vs.

1 The District Collector,
Chennai District,
At Chennai.

2 The Tahsildar,
Egmore Taluk,
Chennai - 600 008.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 11.07.2016 and thereby direct the 2nd respondent to issue patta in the name of petitioner in respect of his property situated in Old No.8, New No.19, 6th Street, Jaganathapuram, Chetpet, Chennai - 600 031 totally to an extent of 644 sq.ft.

For Petitioner : Mr.A.Rajesh Kanna
For Respondents : Mr.K.Thangapandi
Government Advocate

सत्यमेव जयते

O R D E R

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

2.The petitioner would state that his fore-fathers and by way of succession, he is in possession and enjoyment of the property bearing Old Door No.8, New Door No.19, 6th Street, Jaganathapuram, Chetpet, Chennai - 600 031 and in the form of representation, dated 11.07.2016, prayed for issuance of house-site patta, admeasuring to an extent of 644 sq.ft. in respect of the said property and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Mr.A.Rajesh Kanna, learned counsel appearing for the petitioner and Mr.K.Thangapandi, learned Government Advocate who accepts notice on behalf of the respondents and he would contend that admittedly, for having submitted the representation dated 11.07.2016, no acknowledgement is available and therefore, this Court cannot issue a writ of mandamus as sought for by the petitioner and prays for dismissal of the writ petition.

4.This Court has considered the rival submissions.

5.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner in this writ petition, permits the petitioner to submit one more representation to the respondents 1 and 2, within a period of four weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the same, is directed to consider the said representation, in accordance with law, after putting on notice, the persons concerned and pass orders, within a further period of twelve weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned.

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

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1 The District Collector,
Chennai District, At Chennai.

2 The Tahsildar,
Egmore Taluk, Chennai - 600 008.

+1 CC to M/s. A. Rajesh Kanna, Sr.No.50109

+1 CC to Government Pleader, Sr.No.50330

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AD (CO)

MD : 23/09/2016