

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3467 of 2016

G.Nagaratna

... Petitioner

vs.

1. The Tahsildar,
Egmore- Nungambakkam Circle,
Chennai 600 031.
2. The Tahsildar,
Aminjikarai Circle,
No.4, West Mada Street, Koyambedu,
Aminjikarai,
Chennai 600 107.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 04.09.2015 for grant of patta in respect of property admeasuring 2836sq.ft comprised in T.S.Nos.28 and 29 in R.S.No.31/2 in Block No.3 of Naduvankarai village bearing Plot No.5/5.

For Petitioner : Mrs.Usha Ramman

For Respondents : Mrs.P.Rajalakshmi

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the second respondent to consider her representation dated 04.09.2015 for grant of patta in respect of property admeasuring 2836sq.ft comprised in T.S.Nos.28 and 29 in R.S.No.31/2 in Block No.3 of Naduvankarai Village bearing Plot No.5/5.

2. It is the case of the petitioner that she purchased the property admeasuring 2836sq.ft comprised in T.S.Nos.28 and

29 in R.S.No.31/2 in Block No.3 of Naduvankarai Village bearing Plot No.5/5 from one K.Devarajan vide Document No.1285/1990. Thereafter, she made a representation dated 03.09.2014 to the first respondent for inspection of the property by the Surveyor for grant of patta. Since no reply was received from the first respondent, the petitioner approached this Court by way of WP.No.28577/2014, which was disposed of by directing the respondent to dispose of the petitioner's representation with regard to title on merits and in accordance with law, within a period of eight weeks. Even thereafter, there was no response on the part of the first respondent. Hence, the petitioner issued a contempt notice, for which, the first respondent informed the petitioner to approach the second respondent. Pursuant to the same, she again submitted a representation dated 04.09.2015 along with the order of this court to the second respondent. However, till date, no action was taken on her representation. Therefore, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the claim made by the petitioner, directs the second respondent to consider the representation of the petitioner dated 04.09.2015, with regard to grant of patta in respect of property comprised in T.S.Nos.28 and 29 in R.S.No.31/2 in Block No.3 of Naduvankarai Village bearing Plot No.5/5, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rk

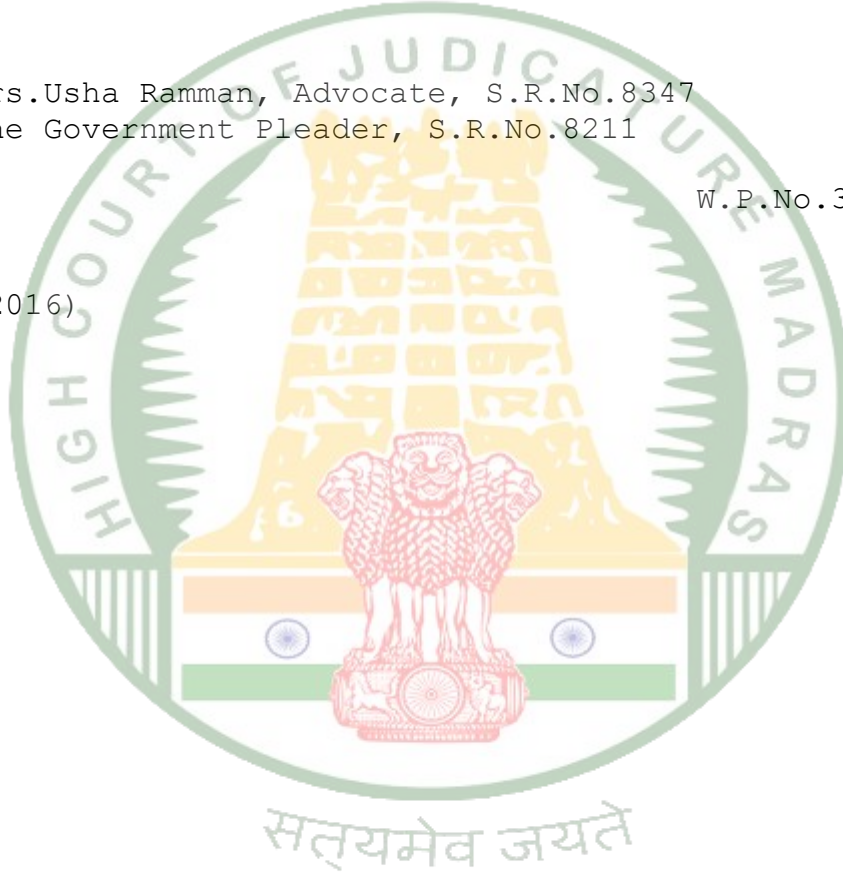
To

1. The Tahsildar,
Egmore- Nungambakkam Circle,
Chennai 600 031.
2. The Tahsildar,
Aminjikarai Circle,
No.4, West Mada Street, Koyambedu,
Aminjikarai,
Chennai 600 107.

+1cc to Mrs.Usha Ramman, Advocate, S.R.No.8347
+1cc to the Government Pleader, S.R.No.8211

W.P.No.3467 of 2016

AD(CO)
CA(25/02/2016)



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