

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36056/2016 & WMP.No.30980/2016

M.Meganathan

..

Petitioner

Vs.

1.The District Collector
District Collectorate Office
Thiruvallur.

2.The Revenue Divisional Officer
Revenue Divisional Office,
Ponneri Taluk, Tiruvallur.

3.The Tasildhar
Tasildhar Office, Ponneri Taluk
Tiruvallur.

4.The Land Surveyor
Ponneri Taluk, Tiruvallur.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 3rd respondent to issue patta based on the petitioner's representation dated 27.03.2014 to the schedule land to an extent of 2.80 [$\frac{1}{2}$] acres situated in Ponneri Taluk, Sothuperumbedu Village, within a stipulated period to be framed by this Court.

For Petitioner : Mr.Murugesh Kasivel

For Respondents: Mr.P.Chinnadurai, GA

ORDER

Heard the learned counsel for the petitioner and Mr.P.Chinnadurai, learned Government Advocate, accepting notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner would state that his father Munusamy has registered a Will on 19.11.1992 on the file of the Sub Registrar, Ponneri, bearing Document No.96/1992 and after his demise, the property devolved to the petitioner and his brother and sons. The petitioner's share of property is

situate in S.No.104 [1.07 to 1.15 acres] ; S.No.61 [Acre 1.00 to 1.31] ; S.No.63 [Acre 1.00 to 1.77] and S.No.64 [Acre 1.00 to 2.37 ½], Sothuperumbedu Village, Ponneri Taluk, Tiruvallur District. It is his further case that on the Petition Day, i.e., on 27.03.2014, he submitted a petition to the 1st respondent for issuance of sub-divisional patta in his name for the above mentioned property and also paid necessary challan. Despite directions/recommendations being issued by the respondents 1 to 3 to the 4th respondent on various occasions, the 4th respondent is not taking any initiative to issue patta to the petitioner and hence, left with no other alternative, the petitioner is before this Court, with the present writ petition.

3 Though the petitioner has 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 either in his representation or in the writ petition, directs the respondent to consider and dispose of the petitioner's representation/petition dated 27.03.2014 on merits and in accordance with law, taking note of the recommendations made by the respondents 1 to 3 vide their letters dated 19.05.2015 ; 07.07.2015 ; 31.07.2015 and 13.08.2015 respectively and pass orders within a period of three months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

4 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

AP

To

1.The District Collector
District Collectorate Office
Thiruvallur.

2.The Revenue Divisional Officer
Revenue Divisional Office,
Ponneri Taluk, Tiruvallur.

3.The Tasildhar
Tasildhar Office, Ponneri Taluk
Tiruvallur.

4.The Land Surveyor
Ponneri Taluk, Tiruvallur.

1 cc to Mr.A. Raja Mohamed, Advocate, Sr. 58826

WP.No.36056/2016

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