

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5014 of 2016

Dr.Ravindran

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Thiruvallur District,
Ambattur, Chennai-600 053.

2. Tashildar,
Ambattur Taluk,
Thiruvallur District,
Ambattur, Chennai-600 053.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to dispose of the representation dated 22.07.2015 and to consider issue patta in petitioner's name.

For Petitioner : Mr.S.Ravichandran

For respondents : Mr.V.Jayaprakash Narayanam, Spl. GP

ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents to dispose of the representation dated 22.07.2015 and to consider issue patta in petitioner's name.

2.In the affidavit filed in support of the writ petition, it has been averred by the petitioner as follows:-

2-1. The agricultural land comprised in Survey No.216/2, admeasuring 4.10 acre and agricultural land comprised in Survey No.230/6, admeasuring 0.90 cent situated at Vellanoor Village Ambattur Taluk, Thiruvallur District, belong to one Venkatachalam. On the demise of the said Venkatachalam, his legal heirs viz., his sons Mr.Shanmugam and Gopal became the owners of the said land. The said Shanmugam has a son byname Kuppusamy. The said Gopal has a son by name Rajabathar (petitioner's father). It is further stated that Mr.Kuppusamy

has also begotten a female child namely Chandra and said Chandra died as spinster. It is further stated that the said Kuppusamy has mutated his name in the revenue records of respondent herein. Mr.Raja Bathar has obtained legal heir certificate of Mr.Kuppusamy and after demise of Mr.Rajabathar petitioner herein and his mother, being legal heir of Mr.Rajabathar, have become absolute owners of the property by virtue of inheritance. The petitioner has all documents to substantiate his claim and the petitioner is in possession of above land and also have valid document to prove the title of the property.

2-2.The aforesaid property was previously under the Revenue Administration of Chengalpattu Taluk, and presently under the Revenue Administration of the respondent herein. The petitioner has approached Tahsildar Chengalpattu Taluk, seeking for patta in respect of the said property; however his request was refused by Chengalpattu Taluk, Tahsildar on the reason that the revenue administration lies on respondent jurisdiction.

2-3.Thereafter, the petitioner made a representation dated 22.07.2015 to the respondents requesting to issue Patta in his favour in respect of the said properties. Since the respondents have not taken any steps to conduct enquiry on representation of petitioner, the petitioner has come forward with the present writ petition before this Court.

3.Heard both sides and perused the materials available on record.

4.Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the 2nd respondent to consider the representation dated 22.07.2015 given by the petitioner and pass appropriate orders, after affording opportunity of personal hearing to the petitioner as well as to other necessary parties, if any, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

No costs.

ssv

-s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Revenue Divisional Officer,
Thiruvallur District,
Ambattur, Chennai-600 053.

2. Tashildar,
Ambattur Taluk,
Thiruvallur District,
Ambattur, Chennai-600 053.

+ 1 cc to Mr.S.Ravichandran, Advocate, SR 8727

+ 1 cc to Government Pleader, High Court, Madras SR 8830

rv(co)
prk1/3

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