

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6421/2016

R.Parvathy

..Petitioner

Versus

1.The District Collector
Tiruvallur Collector Office
Tiruvallur.

2.Executive Engineer [Highways Department]
Chennai Metropolitan Development Authority
Egmore, Chennai.

3.The Special Tahsildar
Urban Land Tax Scheme
Thiruvottriyur.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider and act on the representation dated 29.09.2015 given by the petitioner.

For Petitioner : Mr.P.Vasanth

For Respondents : Mr.R.Rajeswaran, Spl.GP

ORDER

Heard the learned counsel appearing for the petitioner ; and Mr.R.Rajeswaran, learned Special Government Pleader accepting notice on behalf of the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage.

2 The petitioner claims to have purchased the property in question by a Sale Deed dated 18.04.1985 from one Sabapathi Naicker. The said Sale Deed has been registered as Document No.1068/1985 on the file of the Sub Registrar, Thiruvottriyur. The petitioner is stated to have put up a construction in the property and is residing there and the property has been assessed to tax in her name and she has also obtained the electricity service connection in her name. The petitioner claims to be in an uninterrupted possession of the

propertyt for over 30 years. The land on which the house has been constructed, has been acquired for a public purpose. Now the petitioner seeks for compensation and at that stage, she has been informed by the 3rd respondent that the property belongs to HR&CE Department. The petitioner would state that she is unaware as to which temple or the authority claims the ownership over the property. Therefore, the petitioner has given a representation on 29.09.2015 and the same is still pending before the authorities concerned.

3 In the light of the above, without going into the merits of the petitioner's claim, there will be a direction to the 3rd respondent to consider the representation of the petitioner dated 29.09.2015 and intimate the petitioner as to who is the rival claimant and based on that, the petitioner may initiate further action in the matter. The above direction shall be complied with by the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order.

4 The writ petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

1.The District Collector
Tiruvallur Collector Office
Tiruvallur.

2.Executive Engineer [Highways Department]
Chennai Metropolitan Development Authority
Egmore, Chennai.

3.The Special Tahsildar, Urban Land Tax Scheme
Thiruvottriyur.

+1 cc to Government Pleader sr.11396/16

+ 1 cc to Mr.P.Vasanth, Advocate Sr 11621 (22/3/16)

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aa10/03/2016