

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.6464 of 2016

S.Vadivel

... Petitioner

Vs.

The Special Tahsildar,
Town Settlement Office,
Royakottai Road,
Hosur, Krishnagiri District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 25.09.2015 for issuance of patta in respect of land to an extent of 825sq.ft. comprised in Survey No.6/1A/1A/1A/4, Hosur Town, Hosur Taluk, Krishnagiri District within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondent : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider his representation dated 25.09.2015 for issuance of patta in respect of the land to an extent of 825 sq.ft. in Survey No.6/1A/1A/1A/4, Hosur Town, Hosur Taluk, Krishnagiri District within the time to be stipulated by this Court.

2. It is the case of the petitioner that originally the land measuring an extent of 825 sq.ft. in Survey No.6/1A/1A/1A/4, Hosur Town, Hosur Taluk, Krishnagiri District belonged to one D.Ramachandran and five others, who sold the said land in favour of one L.Ramasamy. After the death of said

Ramasamy, his son by name R.Mohan inherited the said land and sold the same to the petitioner by a registered sale deed bearing Doc.No.16196/2011 dated 17.11.2011 on the file of the office of the Sub Registrar, Hosur. From the date of purchase, the petitioner is in peaceful possession and enjoyment of the said land by remitting necessary taxes etc, as absolute owner thereof. While so, he applied for patta along with a representation dated 25.09.2015 to the respondent. On receipt of the same, the respondent called upon the petitioner to appear for an enquiry to be held on 19.10.2015 at 11.00 am. Accordingly, the petitioner appeared and submitted all the documents in support of his claim. Thereafter, the respondent has not taken any action, which compelled the petitioner to approach this court with the present writ petition for the above stated relief.

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

4. Considering the facts and circumstances of the case, this Court directs the respondent to consider the representation of the petitioner dated 25.09.2015, seeking patta in respect of the land measuring an extent of 825 sq.ft. in Survey No.6/1A/1A/1A/4, Hosur Town, Hosur Taluk, Krishnagiri District, by affording an opportunity of personal hearing to the petitioner as well as to other necessary parties, if any 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 respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Special Tahsildar,
Town Settlement Office,
Royakottai Road,
Hosur, Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.11208
+1cc to the Government Pleader, S.R.No.11383

W.P.No.6464 of 2016

KJI (CO)
CA(16/03/2016)



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