

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 8/3/2016

C O R A M

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.8481 of 2016

Gunasekar

... Petitioner

Vs

State

rep. By The Tahsildar

Avadi Taluk Office

Avadi

Chennai 600 071.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to consider the petitioner's application dated 11/1/2016 for issuance of separate patta within the stipulated time.

For Petitioner ... Mr.K.Gandhi Kumar

For respondents ... Mr.S.Pattabiraman
Government Advocate

O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal.

2. Heard Mr.K.Gandhi Kumar, learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate for the respondent.

3. This writ petition has been filed praying to direct the respondent to consider the petitioner's application dated 11/1/2016 for issuance of separate patta.

4. The petitioner had purchased a vacant site from one Raja Pather, comprised in Survey No.1/1 Kamaraj Nagar, 5th Street, situated at No.4, Paleripattu Village and the southern portion of the remaining site was purchased by one Kumaran and thereafter, he sold the said property to Kandhan, S/o.Rajapather, who is the vendor's son. Since the said

Kandhan, having an assignment patta, the petitioner could not apply for separate patta. Hence the petitioner had submitted a representation on 11/1/2016 to the respondent, requesting to issue a separate patta for his plot. Since the respondent has not taken any action, the petitioner has come up with the present writ petition, praying for the relief as stated therein.

5. Without going into the merits of the claim of the petitioner, the respondent is hereby directed, to consider the representation of the petitioner, dated 11/1/201, and pass an appropriate order, on merits and in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order, by affording an opportunity of personal hearing, to the petitioner. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner.

6. With the above direction, this writ petition is disposed of. No costs.
mvs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

The Tahsildar
Avadi Taluk Office
Avadi
Chennai 600 071.

+ 1 cc to M/s.K.gandhikumar,Advocate, SR 14673

+ 1 cc to Govt.Pleader, High Court, Madras SR 15024

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W.P.No.8481 of 2016

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