

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9180 of 2016

D.Gurudev

.. Petitioner

Vs.

1. The District Collector,
Cuddalore District,
at Cuddalore.

2. The Tahsildar,
Cuddalore Taluk,
Cuddalore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to issue patta in respect of the properties, viz., (i) land comprised in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, to an extent of 50 cents out of 1 acre 10 cents, (ii) plot No.1, Manjini Rajendrapuram, comprised in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 3600 Sq.Ft., (iii) Plot No.1, Selvaraj Avenue in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1485 Sq.Ft., (iv) Plot No.2, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1800 Sq.Ft., (v) Plot Nos.3 and 4, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 3600 Sq.Ft., (vi) Plot No.5, Selvaraj layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1779.3/4 Sq.Ft., (vii) Plot No.10, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 2603-1/4 Sq.Ft. in favour of the petitioner, based on his representation, dated 26.09.2015.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.V.S.Ramesh, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to issue patta in respect of the properties, viz.,

(i) land comprised in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, to an extent of 50 cents out of 1 acre 10 cents,

(ii) plot No.1, Manjini Rajendrapuram, comprised in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 3600 Sq.Ft.,

(iii) Plot No.1, Selvaraj Avenue in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1485 Sq.Ft.,

(iv) Plot No.2, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1800 Sq.Ft.,

(v) Plot Nos.3 and 4, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 3600 Sq.Ft.,

(vi) Plot No.5, Selvaraj layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 1779.3/4 Sq.Ft., and

(vii) Plot No.10, unnamed layout in O.S.No.368/7, R.S.No.3/4, Kudikkadu Village, Cuddalore Taluk, Cuddalore District, ad-measuring 2603-1/4 Sq.Ft. --- in favour of the petitioner, based on his representation, dated 26.09.2015.

2. It is stated by the petitioner that he is the owner of the above said properties, which originally belonged to his father late Mr.Devendran, who executed a Will, bequeathing the above properties in favour of the petitioner. The petitioner made several requests to the second respondent to issue patta in respect of the above properties in his favour and also produced relevant documents for the same. No action has been taken on the same. Lastly, the petitioner made a representation, dated 26.09.2015 to the respondents to issue patta for the said properties in his favour. As no action has been taken by the respondents, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Without going into the merits of the claim of the petitioner, this Court directs the respondents to consider the said representation, dated 26.09.2015, conduct enquiry, give an opportunity of personal hearing to the petitioner and necessary parties and thereafter pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

cs

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector,
Cuddalore District, at Cuddalore.
2. The Tahsildar,
Cuddalore Taluk,
Cuddalore District.

+ 1 cc to MR.C.K.M.APPAJI Advocate, SR 16159

mg(co)
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W.P.No.9180 of 2016

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