

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2017

CORAM

THE HONOURABLE Mr.JUSTICE B.RAJENDRAN

W.P.No.7307 of 2017
and WMP.No.7969 of 2017

M.Arumugam Reddier

.. Petitioner

Vs.

1. The District Collector,
Thiruvallur,
Thiruvallur District.

2. The Revenue Divisional Officer,
Ambattur,
Thiruvallur District.

3. The Assistant Director of Land Survey
Land Survey Department,
O/o. District Collectorate,
Thiruvallur,
Thiruvallur District.

4. The Tahsildar,
Ambattur,
Thiruvallur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to pass an order of Writ of Mandamus directing the 4th respondent to issue patta in favour of the petitioner in respect of plot Nos.1,2,3,4,5 and 6 bearing T.S.No.194 and T.S.No.171, Block No.31 & 33, Venkatesa Thiagaraja Nagar, Korattur Village, Ambattur Taluk, Thiruvallur District by making measurements based on the representation of the petitioner dated 21.10.2016 in terms of communication made in Na.Ka.E2/Petition 126/2016 dated 20.12.2016 issued by the third respondent.

For Petitioner : Mr.G.Mohanakirshnan
For Respondents : Mr.S.V.Durai Solaimalai
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who accepts notice

on behalf of the respondents, and with the consent on either side, the writ petition is taken up for final disposal in the admission stage itself.

2. According to the petitioner, he had purchased some six properties from two different vendors in the year 2007 (4 properties) and in the year 2012 (2 properties) respectively through a registered sale deed admeasuring a total extent of 14,269 sq.ft. in T.S.No.171 and 194 at Venkatesa Thiyagaraya Nagar, Korattur Village and was in exclusive possession and enjoyment of the said properties from the date of purchase. Thereafter, the petitioner approached the fourth respondent to obtain patta in his name. The patta was issued to the petitioner only with regard to T.S.No.171 alone. Inspite of several applications made by the petitioner since from the year 2011, for grant of patta in T.S.No.194, nothing was heard from the fourth respondent.

3. It is stated by the petitioner that he had also approached the third respondent. It appears that the third respondent has also addressed a letter dated 03.12.2014 to fourth respondent with a copy to the petitioner, in which it clearly states that only the fourth respondent is the authority to grant patta and it also directed the fourth respondent to send the details of the action taken on the petitioner's representation. A reminder letter dated 02.01.2015 was sent by the third respondent to the fourth respondent.

4. It is also contended by the petitioner that he is aged about 78 years and has been driven from pillar to post by the fourth respondent for mutation of patta in his name. It is also stated by the petitioner that he had made a representation dated 21.10.2016 to the third respondent requesting to measure the property in respect of S.No.151/1A1A1A in T.S.No.171 and T.S.No.194 Venkatesa Thiyagaraya Nagar, Korattur Village, Ambattur Taluk, Tiruvallur District, in which a portion of land of total extent of 14231 sq.ft. has been acquired by the Highways Department. Accordingly, the third respondent vide his communication dated 20.12.2016 had directed the fourth respondent to take action on petitioner's representation dated 21.10.2016. But, no action has been taken by the fourth respondent. Aggrieved which, the petitioner is before this Court in this Writ Petition.

5. Considering the limited scope of prayer sought for by the petitioner and in the light of the above facts and circumstances, this Court, without expressing any opinion on the

merits of the case, directs the fourth respondent to consider the petitioner's representation dated 21.10.2016 and to take appropriate action at the earliest preferably within a period of two weeks from the date of receipt of a copy of this order.

6.The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To:

1. The District Collector,
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+1 cC to Mr. G. Mohana Krishnan, Advocate sr 18796

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