

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.4561 of 2017

G.K.Ramaswamy

... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. By the District Collector,
62, Rajaji Salai,
Chennai 600 001.
2. The District Revenue Officer,
Aminjikarai Taluk,
Chennai District.
3. The Revenue Divisional Officer,
Aminjikarai Taluk,
Chennai District.
4. The Tahsildar,
Tahsildar Office, Aminjikarai,
No.4, Merkumada Street,
Koyambedu, Chennai -107.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 4th respondent to pass orders on the petitioner's application dated 03.03.2015, representation dated 24.03.2016 and reminder dated 25.01.2017 by conducting inspection of the property and consequently issue a Patta in favour of the petitioner with respect to property situated at Plot No.4955, West Madras Neighbourhood Scheme, Arignar Anna Nagar, Madras - 40, IV Batch in Sy.No.74 (Part) of Naduvangarai Village within the time frame.

For Petitioner : Mr.G.S.Vivekmani

For Respondents : Mr.S.Rajeswaran,
Special Government Pleader

O R D E R

The petitioner seeks a direction to the 4th respondent to pass orders on his application dated 03.03.2015, representation dated 24.03.2016 and reminder dated 25.01.2017 by conducting inspection of the property situated at Plot No.4955, West Madras Neighbourhood Scheme, Arignar Anna Nagar, Madras - 40, IV Batch in Sy.No.74 (Part) of Naduvangarai Village and consequently issue a Patta in his favour in respect of the same.

2. It is the case of the petitioner that he applied for transfer of Patta in his name in respect of the subject property on 23.04.2014 to the Tahsildar, Egmore - Nungambakkam Taluk. Since his property is situated in the jurisdiction of Aminjikarai Taluk, the application filed by the petitioner was transferred to the Tahsildar office, Aminjikarai, the 4th respondent herein on 31.04.2014 and assigned with Reference No.TR/224/2014 (SIS-II). Thereafter, the petitioner visited the office of the 4th respondent on 25.06.2014 seeking update on the status of his application. Since he was informed by the Surveyor that the papers relating to his patta application were missing, the petitioner, on instructions, filed a fresh application for issuance of Patta on 03.03.2015. Since no steps were taken on his application, the petitioner submitted a representation to the 4th respondent on 24.03.2016 requesting to take action on his application. Since no action was taken on his application, the petitioner even sent a reminder to the 4th respondent on 25.01.2017. Since no reply is forthcoming from the 4th respondent in respect of issuance of Patta, the petitioner is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. In view of the above, without expressing any opinion on the merits of the case, this Court directs the 4th respondent to consider the petitioner's application dated 03.03.2015 and representation dated 24.03.2016 seeking issuance of Patta in his favour in respect of the subject property on merits and in accordance with law, after issuing notice to all the parties concerned, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.
No costs.

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Sd/-
Assistant Registrar (CS III)
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Sub-Assistant Registrar

To:

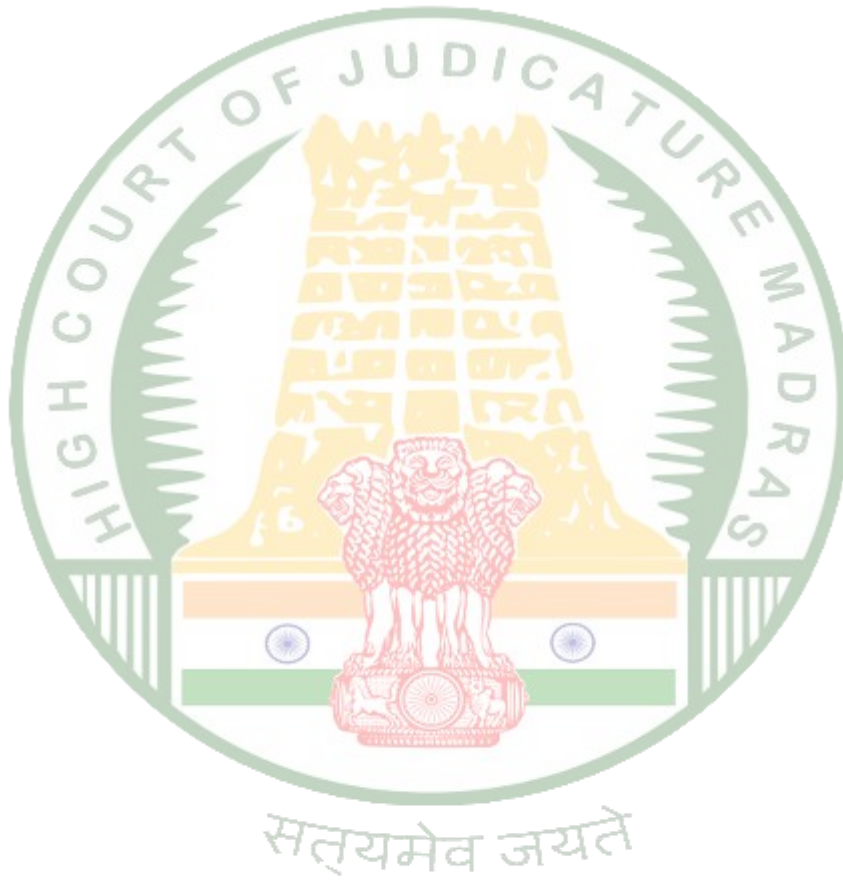
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+1 CC to Mr.Giridhar & Sai Advocate SR.NO.11987
+1 CC to Govt Pleader SR.NO.11804

Order in
W.P.No.4561 of 2017
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MK:14/03/2017

23.02.2017



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