

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No. 5706 of 2017

I.A. Mahimai Doss

.. Petitioner

Versus

1. The District Collector
Thiruvallur District
Thiruvallur

2. The Revenue Divisional Officer
Thiruvallur District
Thiruvallur

3. The Tahsildar
Thiruvallur Taluk
Thiruvallur District

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to pass orders on the petitioner's representation dated 23.05.2015 requesting him to issue patta in the name of the petitioner for the land measuring 96 cents comprised in Survey No.391/5 situated at Thirupachur Village, Thiruvallur Taluk.

For Petitioner : Mr. N. Nagu Sah

For Respondents : Mr. R.S. Selvam
Government Advocate

ORDER

The petitioner seeks for issuing a Writ of Mandamus directing the third respondent to pass orders on his representation dated 23.05.2015 requesting to issue patta in his name for the land measuring 96 cents comprised in Survey No.391/5 situated at Thirupachur Village, Thiruvallur Taluk.

2. The petitioner claims to be the absolute owner of the land comprised in Survey No.391/5 measuring 96 cents at Thirupachur Village, Thiruvallur Taluk having purchased the same by means of two registered sale deeds dated 24.05.1995 and 10.02.2003. According to the petitioner, from the date of such purchase, he is in absolute possession and enjoyment of the said land. It is his further case that patta in respect of the

aforesaid lands have been issued in the name of his vendor and therefore, after purchase, the petitioner submitted a representation 04.11.2013 to the first respondent seeking for issuance of patta, which was forwarded by a letter dated 12.11.2013 to the third respondent for taking action for surveying the land and to submit his report. In spite of such a direction by the first respondent, the third respondent did not take any action. Therefore, the petitioner sent a representation dated 23.05.2015 to the third respondent to issue patta in his name but so far, the representation dated 23.05.2015 has not been considered, hence, he has filed this writ petition.

3. I heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents. Having regard to the above facts and circumstances of the case, without expressing any opinion as regards merits of the claim made by the petitioner, the third respondent is hereby directed to consider the representation dated 23.05.2015 and to pass orders thereon on merits and in accordance with law after affording an opportunity of hearing to the petitioner, within a period of three months from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The District Collector
Thiruvallur District
Thiruvallur
2. The Revenue Divisional Officer
Thiruvallur District
Thiruvallur
3. The Tahsildar
Thiruvallur Taluk
Thiruvallur District

+1cc to Government Pleader SR.No.15024

+1cc to Mr.N.Nagusah, Advocate SR.No.14791

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