

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2017

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.11569 of 2017
& W.M.P.No.12579 of 2017

K.Shyamala

... Petitioner

Vs.

1. The Tahsildar,
Sholinganallur Division,
Chennai.
2. Taluk Surveyor,
Sholinganallur Division,
Chennai.
3. Deputy Tahsildar,
Tambaram.
4. Village Administrative Officer,
Kovilambakkam,
Chennai.
5. Sub Registrar,
Pallavaram,
Chennai.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to consider the representation of the petitioner dated 14.12.2016 relating to the plot owned by the petitioner at No.153, S.Kolathur Village under Paimash No.420/1, Survey No.370/5, 370/5B, 1B/4 Patta No.1463, R.P.T.No.972/98-99, 8A/83/1408 measuring 3840 sq. feet bounded on the north by 30 feet road, south by plot No.33, west by plot No.27-A, east by plot No.26 by issuing suitable directions to the respondents 1 to 4 to inspect the plot and file the status report of the plot owned by the petitioner consequently cancel any patta issued in favour of any body except the petitioner.

For Petitioner	:	Mr.S.Sridhar
For Respondents	:	Mr.A.N.Thambidurai Spl. Government Pleader

O R D E R

The petitioner has filed the writ petition seeking a writ of mandamus directing the respondents to consider the representation of the petitioner dated 14.12.2016 and to inspect the plot bearing No.27, S.Kolathur village comprised in Survey No.370/5, 370/5B, 1B/4 measuring an extent of 3840 sq. feet.

2. According to the petitioner, she is the owner of the Plot bearing No.27, S.Kolathur Village comprised in Survey No.370/5, 370/5B,1B/4 measuring an extent of 3840 square feet and also obtained patta in her favour. After purchase, the petitioner put up fence around the plot. The petitioner was away from Chennai for several years. When the petitioner inspected the said property after having returned to Chennai, she found that some third parties have encroached upon the property and put up construction. The petitioner learnt that the respondent authorities have manipulated the revenue records and issued patta to third parties in respect of her plot. On 14.12.2016, the petitioner made a representation to the first respondent and the Village Administrative Officer, Kovilambakkam seeking to enquire into the matter and furnish correct status of her plot. Despite receipt of the said representation, the said authorities have not taken any action on the representation of the petitioner. Hence, the petitioner has filed the present writ petition seeking the relief stated supra.

3. Heard Mr.S.Sridhar, learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader appearing on behalf of the respondents.

4. The learned Special Government Pleader submits that sofar no representation has been received by the respondent authorities.

5. On a perusal of the typed set of documents also, this Court find that no postal receipt or acknowledgement has been filed by the petitioner.

6. Taking into consideration of the stand taken by the learned Special Government Pleader and without going into the merits of the matter, this Court directs the petitioner to give a fresh representation along with relevant documents to respondents 1 and 2 within a period of two weeks from the date of receipt of a copy of this order. On such receipt of the representation, respondents 1 and 2 shall consider the same and pass orders on merits and in accordance with law, after giving an opportunity to necessary parties, within a period of eight weeks thereafter.

7. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.12529 of 2017 is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

1. The Tahsildar,
Sholinganallur Division,
Chennai.
2. The Taluk Surveyor,
Sholinganallur Division,
Chennai.
3. The Deputy Tahsildar,
Tambaram.
4. The Village Administrative Officer,
Kovilambakkam,
Chennai.
5. The Sub Registrar,
Pallavaram,
Chennai.

+1cc to the Government Pleader,
High Court, Madras Sr. 37335

+1cc to Mr.S.Sridhar, Advocate Sr. 37296

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CA(CO)
VR(19/5/2017)