

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.11953 of 2017

Thiruvalluvar Nagar Kudiyurupor

pothunala Sangam,

Rep., by its President L.Ravi,

Reg. No.162/2006,

No.25, Gandhi Street,

Mettukulam, Koyambedu,

Chennai-600 107.

...Petitioner

Vs.

1. The District Collector,
Office of the Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-600 001.

2. The Revenue Divisional Officer,
Office of the Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-600 001.

3. The Tahsildar,
Aminjikarai Taluk,
Koyambedu,
Chennai-600 107.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to dispose of the petitioner's representations dated 20.10.2016, 28.01.2017 and 02.03.2017 for cancelling the patta issued in respect of property situated in Survey No.149, Koyambedu Village, Mettukulam, Thiruvalluvar Nagar, Koyambedu, Chennai-600 107, as it was issued without following the procedures contemplated under section 3(7) of Patta Pass Book Act and also not following the procedures contemplated under rule 4 of the Patta Pass Book Rules 1987 and consequently, direct the respondents to make necessary entries by conducting detailed enquiry and to issue corrected Patta Pass Book in so far as the above referred property within a time frame.

For Petitioner : Mr.E.Vijay Anand
For Respondents: Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents to dispose of their representations dated 20.10.2016, 28.01.2017 and 02.03.2017 for cancelling the patta issued in respect of property situated in Survey No.149, Koyambedu Village, Mettukulam, Thiruvalluvar Nagar, Koyambedu, Chennai-600 107, as it was issued without following the procedures contemplated under section 3(7) of the Patta Pass Book Act and also not following the procedures contemplated under Rule 4 of the Patta Pass Book Rules, 1987 and consequently, direct the respondents to make necessary entries by conducting detailed enquiry and to issue corrected Patta Pass Book insofar as the above referred property, within a time frame.

2.The learned counsel appearing for the petitioner submitted that pursuant to the petitioner's representations, the third respondent had conducted enquiry on 28.03.2017 and also concluded enquiry on the same day. However, he has not passed any orders so far.

3.Mr.A.N.Thambidurai, learned Special Government Pleader taking notice for the respondents submitted that since the third respondent had concluded the enquiry, as stated by the learned counsel for the petitioner, the third respondent may be directed to pass orders on merits and in accordance with law within a time frame.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the submissions made by the learned counsel for the petitioner, I direct the third respondent to pass orders based on the enquiry concluded on 28.03.2017, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.With this observation, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar

//True Copy//

gsk

Sub Assistant Registrar

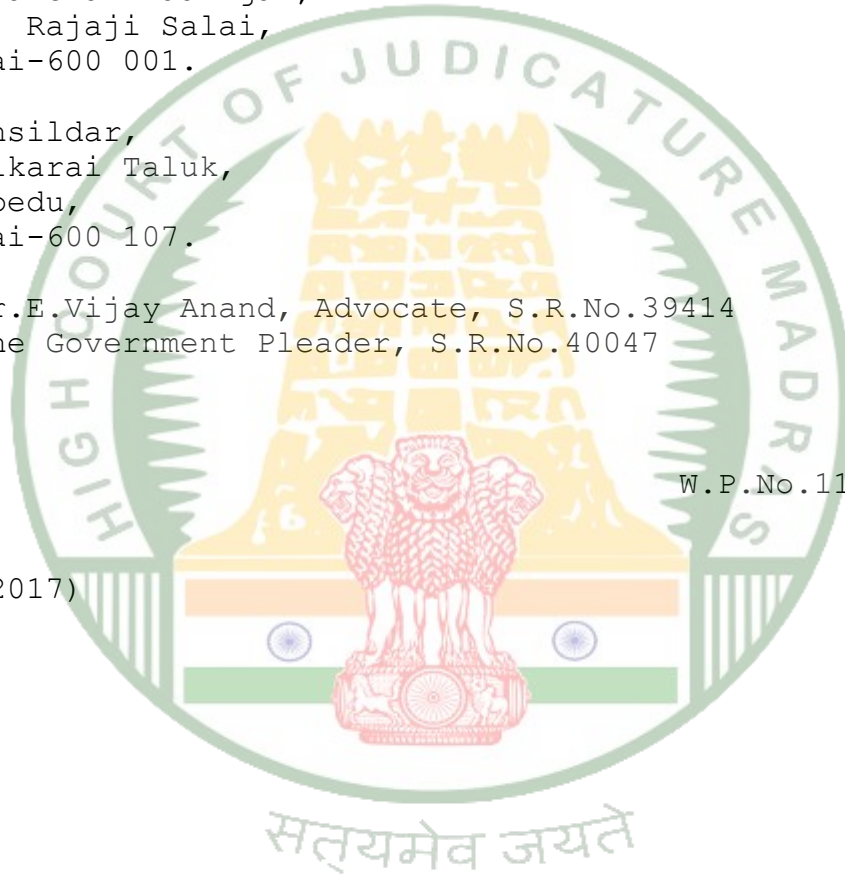
To

1. The District Collector,
Office of the Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-600 001.
2. The Revenue Divisional Officer,
Office of the Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-600 001.
3. The Tahsildar,
Aminjikarai Taluk,
Koyambedu,
Chennai-600 107.

+1cc to Mr.E.Vijay Anand, Advocate, S.R.No.39414
+1cc to the Government Pleader, S.R.No.40047

W.P.No.11953 of 2017

MD (CO)
RS (12/06/2017)



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