

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.2225 of 2017

D.Kumar

... Petitioner

vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Tahsildar,
Ambattur Taluk,
Ambattur, Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to issue patta in respect of the land to an extent of 1365 sq. ft. in S.No.261/1A of Sadaiyan Kuppam Village, Ambattur Taluk in favour of the petitioner based on his representation dated 12.04.2013.

For Petitioner : Mr.M.Selvam

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

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the respondents to issue patta in respect of his land measuring an extent of 1365 sq. ft. in S.No.261/1A of Sadaiyan Kuppam Village, Ambattur Taluk in his favour, based on his representation dated 12.04.2013.

2. According to the petitioner, the property in S.No.261/1A to an extent of 1365 sq. ft. of Sadayankuppam Village was originally possessed by her brother D.Balaji, who was in possession and enjoyment of the said land for more than ten years. His possession was certified by the 2nd respondent vide Possession Certificate dated 14.10.2010. While so, the petitioner's brother Balaji settled the said land in her favour vide Settlement Deed No.8130/2013, dated 08.11.2013 before the

office of the Sub-Registrar, Thiruvottiyur. Since then, the petitioner is in absolute possession and enjoyment of the property. Hence, she applied to the respondents on 12.04.2013 seeking issuance of patta in her favour. Since, no reply is forthcoming from the respondents in this regard, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and perused the material documents available on record.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of this case, this Court directs the respondents herein to independently consider the petitioner's representation dated 12.04.2013 seeking issuance of patta in her favour in respect of the land in question, on merits and in accordance with law 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.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To :

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Tahsildar,
Ambattur Taluk,
Ambattur, Chennai.

+1cc to M/s. M. Selvam, Advocate, S.R.No.5707
+1cc to the Government Pleader, S.R.No.6271

AD(CO)
EU 15.2.17

W.P.No.2225 of 2017