

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.32857 of 2017

S.Sidharth Sukumar

S/o.Late M.N.Sukumaran Nambiar

.. Petitioner

versus

The Tahsildar
Sozhinganallur Taluk Office
Sozhinganallur
Kancheepuram District.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to consider and conduct enquiry on the application of the petitioner dated 10.08.2017 submitted for issuance of patta in respect of the property, being punja land, comprised in Survey No.138/2, measuring an extent of 0.35.0 hectare (i.e.) acre 0.86 cents, situated at Madipakkam Village, Sozhinganallur Taluk, Kancheepuram District (previously Saidapet Taluk, Chengleput District) in favour of the petitioner and his brother S.Bharat Sukumar after deducting the extent involved in the urban land ceiling proceedings.

For Petitioner: Mr.R.Munuswamy

For Respondent : Mr.R.Govindasamy

Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondent. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a mandamus directing the respondent to consider and conduct enquiry on the application filed by the petitioner on 10.08.2017, for issuance of patta in

respect of the subject matter property.

4. The grievance of the petitioner is that when the patta has to be issued in favour of the petitioner and his brother by name S.Bharat Sukumar, the same was issued in favour of the third parties and therefore, he sought for conducting enquiry and rectify the mistake through the above representation given by the petitioner before the respondent. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondent to consider the application of the petitioner dated 10.08.2017 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as to the other persons in whose name, the patta stands. Such exercise shall be done by the respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

The Tahsildar
Sozginganallur Taluk Office
Sozginganallur
Kancheepuram District.

+1cc to the Government Pleader, S.R.No. 90855/17

W.P.No.32857 of 2017

BR(CO)
TR(18/01/2018)

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