

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.14219 of 2017

Mohammed Nisar Yasdan

...Petitioner

- v.
1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
 2. The Member Secretary,
Chennai Metropolitan Development Suthority,
Egmore, Chennai - 600 008.
 3. The Special Tashildar
Land Acquisition (Unit V),
Outer Ring Road Project,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
(Ground floor - West Wing),
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
 4. The Special Tashildar Cum District Revenue Officer
Land Acquisition (Unit V),
Outer Ring Road Project,
Phase - II, CMDA,
Koyambedu, Chennai - 600 092.
 5. The District Collector,
Land Acquisition,
Thiruvallur Collectorate Office,
Thiruvallur District - 602 001.
 6. The Tahsildhar,
Tashildar Office,
Avadi Taluk, Chennai - 600 053.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 5 and 6 to make necessary subdivisions after the acquisition of the petitioner's land bearing Plot

Nos.86 and 87 in Iyappa Nagar Annex, Vellanur Village comprised in Survey No.10/1 of Vellanur Village, Avadi Taluk and issue patta for the remaining extent of land measuring 2265 sq.ft., as per the petitioner's representation dated 18.01.2016 made to the Tashildar, Avadi Taluk in File No.RPT No.467/2016.

For Petitioner : Mr.R.Manickavel

For Respondents : Mr.A.N.Thambidurai
Special Govt. Pleader
- for R1 and R3 to R6

Mr.P.Tamil Mani - for R2

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondents 5 and 6 to make necessary subdivisions after the acquisition of the petitioner's land bearing Plot Nos.86 and 87 in Iyappa Nagar Annex, Vellanur Village comprised in Survey No.10/1 of Vellanur Village, Avadi Taluk and issue patta for the remaining extent of land measuring 2265 sq.ft., as per the petitioner's representation dated 18.01.2016 made to the Tashildar, Avadi Taluk.

2. The learned counsel appearing for the petitioner submitted that in spite of the petitioner's representation dated 18.01.2016, the respondents have not issued the patta yet. Further, the learned counsel submitted that the representation was given more than one and a half years ago.

3. Mr.A.N.Thambi Durai, learned Special Government Pleader taking notice for the respondents submitted that the sixth respondent may be directed to consider and pass orders on the petitioner's representation dated 18.01.2016, in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the sixth respondent to consider the petitioner's representation dated 18.01.2016 and pass orders, on merits and in accordance with law, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of.
No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

gsa/Rj

To:

1. The State of Tamil Nadu,
The Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan Development authority,
Egmore, Chennai - 600 008.
3. The Special Tashildar
Land Acquisition (Univ V),
Outer Ring Road Project,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
(Ground floor - West Wing),
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5. The District Collector,
Land Acquisition,
Thiruvallur Collectorate Office,
Thiruvallur District - 602 001.
6. The Tahsildhar,
Tashildar Office,
Avadi Taluk, Chennai - 600 053.

+1cc to Mr.P.Tamilmani,Advocate sr.41149

+1cc to M/s.R.Manickavel,Advocate sr.40954

W.P.No.14219 of 2017

ss (21/6/2017)