

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.3689 of 2017

K.Selvaraj

... Petitioner

vs.

1. The District Collector,
Vellore District,
Vellore.

2. The Tahsildar,
Taluk Office,
Gudiyattam Taluk,
Vellore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd respondent to consider the representation given by the petitioner dated 28.11.2016 to grant patta in favour of the petitioner in respect of the property bearing T.S.No.159/1, with an extent of 1119 sq. ft. Old No.27, New No.55, Thaadi Arunachalam Street, Nadupet, Gudiyattam, Vellore.

For Petitioner : Mr.D.Rajagopal

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

सत्यमेव जयते
O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 2nd respondent to consider his representation dated 28.11.2016 to grant patta in his favour in respect of the property bearing T.S.No.159/1, with an extent of 1119 sq. ft. at Old No.27, New No.55, Thaadi Arunachalam Street, Nadupet, Gudiyattam, Vellore.

2. According to the petitioner, the property in T.S.No.159/1, Municipal Door No.27A, New No.5, with an extent of 1119 sq. ft. belongs to his mother Pattammal. After the demise of his mother, the petitioner and his siblings are in possession and enjoyment of the said property. It is his further case that

he is possessing family card in his name and is in continuous and uninterrupted possession of the said property. While so, in the year 2007, some persons, who are not connected with the said property attempted to interfere with the petitioner's possession. Hence, the petitioner made a representation to the Tahsildar and the District Collector requesting them to grant patta in his favour. Since there was no reply, he sent a final representation to the respondents on 28.11.2016 to consider his grievance. As no reply was forthcoming, the petitioner, having no other alternative, is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. On a perusal of the records, it is seen that the petitioner has not applied for patta in the prescribed form along with challan fee. Though he claims to be in possession of the property in question, he has sent only a representation to the respondents seeking patta, on 28.11.2016. Hence, the petitioner is directed to send an application to the respondents seeking issuance of patta, in the prescribed form along with requisite challan fee and necessary documents. If such an application is filed within 15 days from the date of receipt of a copy of this order, then the respondents will give notice to the parties and pass appropriate orders on such application, on merits and in accordance with law, as expeditiously as possible.

This Writ Petition is disposed of with the above direction. No costs.

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To:

1. The District Collector,
Vellore District, Vellore.

2. The Tahsildar,
Taluk Office,
Gudiyattam Taluk,
Vellore.

+1cc to Mr.D. Rajagopal, Advocate, sr10029
+1cc to Mr.Government Pleader, sr 10222

W.P.No.3689 of 2017

AK (CO)
RMP (03/03/17)