

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.Nos.17791 & 17792 of 2017

B.Narasimhan

... Petitioner in both W.Ps

Vs.

- 1.The District Collector,
Thiruvallur District, Thiruvallur.
- 2.The Sub Collector,
Ponneri, Thiruvallur District.
- 3.The Revenue Divisional Officer,
Ponneri Taluk, Thiruvallur District.
- 4.The Tahsildar,
Ponneri Taluk, Thiruvallur District ... Respondents in both W.Ps

W.P.No.17791 of 2017 filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to issue patta in respect of the properties situated at S.Nos.74/4 measuring 0.73 cents, 74/5 measuring 2.08 cents, 87/7 measuring 0.18 cents, 157/2 measuring 0.76 cents, 167/4 measuring 0.79 cents, 167/5 measuring 0.87 cents, 174/3 measuring 0.14 cents, 174/5 measuring 1.82 cents, 174/6 measuring 0.17 cents, 188/3 measuring 0.64 cents Aamur Village, Ponneri Taluk, Thiruvallur District based on the proceeding of the 4th respondent dated 23.02.2017 bearing Na.Ka.1247/2013/AA2 within a stipulated time.

W.P.No.17792 of 2017 filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to re-classify the property situated at S.Nos.188/4 measuring 0.32.5 cents and 188/5 measuring 0.59.0 cents Aamur Village, Ponneri Taluk, Thiruvallur District and issue patta to the petitioner based on his representation dated 30.05.2017 made in the Jamabandhi within a stipulated time.

For Petitioner (in both W.Ps.) : Mr.K.Elango

For Respondents (in both W.Ps.): Mr.E.Balamurugan,
Additional Government Pleader

C O M M O N O R D E R

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the respondents. By consent, the main Writ Petitions are taken up for disposal at the admission stage itself.

2.W.P.No.17791 of 2017 has been filed by the petitioner to issue a writ of mandamus to direct the respondents to issue patta in respect of the properties situated at S.Nos.74/4 measuring 0.73 cents, 74/5 measuring 2.08 cents, 87/7 measuring 0.18 cents, 157/2 measuring 0.76 cents, 167/4 measuring 0.79 cents, 167/5 measuring 0.87 cents, 174/3 measuring 0.14 cents, 174/5 measuring 1.82 cents, 174/6 measuring 0.17 cents, 188/3 measuring 0.64 cents Aamur Village, Ponneri Taluk, Thiruvallur District based on the proceeding of the 4th respondent dated 23.02.2017 within a time frame.

3.W.P.No.17792 of 2017 has been filed by the petitioner to direct the respondents to issue a writ of mandamus directing the respondents to re-classify the property situated at S.Nos.188/4 measuring 0.32.5 cents and 188/5 measuring 0.59.0 cents Aamur Village, Ponneri Taluk, Thiruvallur District and issue patta to the petitioner based on the representation dated 30.05.2017 made in the Jamabandhi within a time frame.

4.The learned counsel appearing for the petitioner submitted that the 4th respondent has passed an order dated 23.02.2017 sending the report and the other records to the 2nd respondent for further action and that the 2nd respondent has not passed any order so far.

5.The learned counsel further submitted that in respect of the S.Nos.188/4 and 188/5, the petitioner's representation dated 30.05.2017 was not considered by the 3rd respondent and has not passed any order so far.

6.Mr.E.Balamurugan, learned Additional Government Pleader appearing for the respondents submitted that the respondents 2 & 3 may be directed to pass orders in accordance with law, after giving notice to all the interested parties.

7. In view of the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to pass orders based on the proceedings of the 4th respondent dated 23.02.2017 within a period of eight weeks from the date of receipt of a copy of this order. Insofar as the S.Nos.188/4 and 188/5 are concerned, the 3rd respondent is directed to consider the petitioner's representation dated 30.05.2017 and pass orders 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.

8. With these observations, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Thiruvallur District, Thiruvallur.
2. The Sub Collector,
Ponneri, Thiruvallur District.
3. The Revenue Divisional Officer,
Ponneri Taluk, Thiruvallur District.
4. The Tahsildar,
Ponneri Taluk, Thiruvallur District.

+2cc's to M/s.K.Elango, Advocate, S.R.No.49027 & 49028
+1cc to the Government Pleader, S.R.No.49369 & 49370

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W.P.Nos.17791 & 17792 of 2017

GJII(CO)
CU(02/08/2017)