

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.23371 of 2016

1. M.Lakshmi
2. S.Sivasankaran
3. S.Bhuvaneshwari

.. Petitioners

Versus

- 1.The Collector,
Collectorate Chennai,
Singaramelar Maligai, Chennai-600 001.
- 2.The Tahsildar,
No.113, V.V.Koil Street, Institute of Road,
Transport Training Centre Complex,
Tharamani 100 feet Road, Velachery,
Chennai - 600 028.
- 3.The Managing Director,
Kalashetra-Education Foundation,
Kalashetra Road, Thiruvanmiyur,
Chennai - 600 041.
- 4.Besant Centenary Trust.
Rep. by A.Y.Sundaram,
Kalashetra-Education Foundation,
Kalashetra Road, Thiruvanmiyur,
Chennai - 600 041.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 2nd respondent to cancel the patta in No.1066 issued in favour of 4th respondent and further to direct the 2nd respondent to issue patta in favour of the petitioners based on the representation dated 13.10.2015.

For Petitioners	:	Mr.N.A.Kareem
For RR1 & 2	:	Mr.Akhil Akbar Ali, GA
For R3	:	Mr.Menon Karthik Mukundan
For R4	:	No Appearance

O R D E R

The petitioners have filed this petition seeking direction to the 2nd respondent to cancel the patta in No.1066 issued in favour of 4th respondent and further to direct the 2nd respondent to issue patta in favour of the petitioners, based on the representation dated 13.10.2015

2. The learned counsel for the petitioner, at the time of hearing, has submitted that it is suffice to direct the first respondent to consider the petitioners' representation dated 13.10.2015 and pass orders within the time frame, which may be fixed by this Court.

3. The learned counsel for the 4th respondent has submitted that the Civil Suit between the parties is pending and hence, the writ petition is not maintainable.

4. Having regard to the submissions made by the learned counsel on either side, though there is much force in the contention of the 4th respondent, without going into the merits of the case, this Court directs the first respondent to consider the petitioner's representation, dated 13.10.2015 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. Enquiry should be conducted and orders shall be passed after giving notice to all the parties likely to be affected in this case.

5. With the above observations, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous application is closed.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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pvs

To

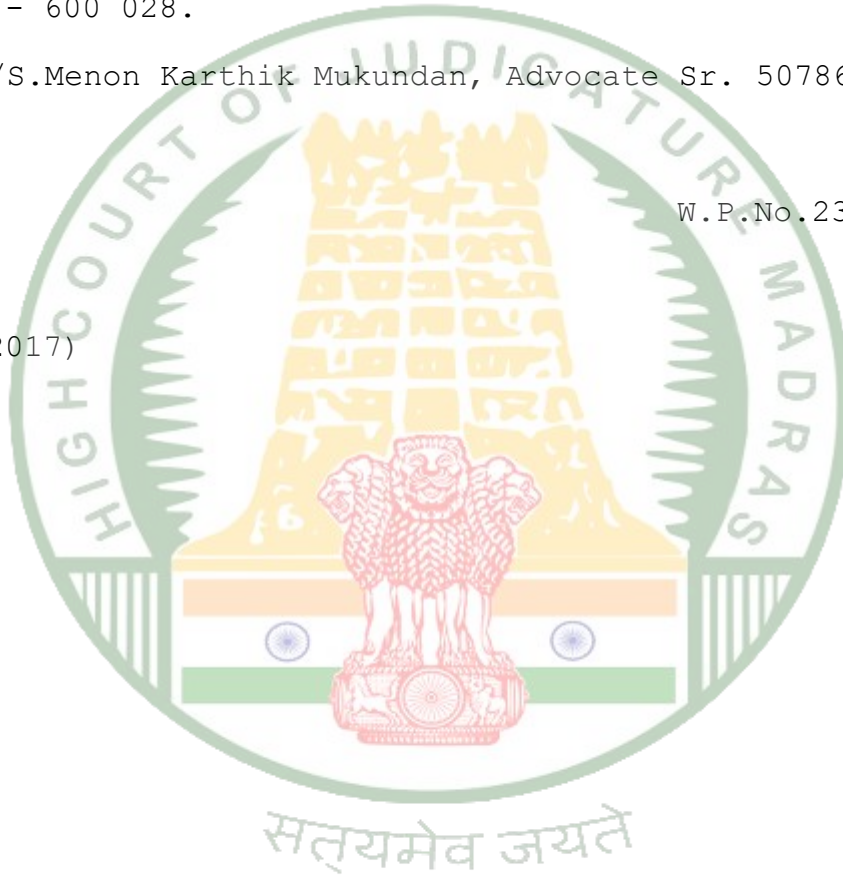
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+1cc to M/S.Menon Karthik Mukundan, Advocate Sr. 50786

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KK(CO)
VR(09/08/2017)



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