

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 8366 of 2014

J.Madurairajan

... Petitioner

vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus by directing the 1st respondent to consider the representation dated 03.01.2014 to issue direction to the 2nd respondent to issue patta in favour of the petitioner.

For Petitioner : M/s. R.Balasubramanian

For Respondents: Mr.D.Raghu,
Government Advocate.

O R D E R

The relief sought for in this writ petition is to direct the first respondent to consider the representation submitted by the writ petitioner on 03.01.2014 and to issue direction to the 2nd respondent to grant patta in favour of the writ petitioner.

2. The grievance of the writ petitioner is that, he made an application along with the relevant documents to the respondents No.1 and 2 on 03.01.2014 and on 27.12.2013 respectively. However the said representation submitted by the writ petitioner for grant of patta under the provisions of the Tamil Nadu Patta Pass Book Act, 1983 has not been considered.

3. This Court is of the opinion that, any person filing an application seeking grant of patta is to be decided on merits and in accordance with law and by following the procedures contemplated under the Tamil Nadu Patta Pass Book Act, 1983 and the rules. The competent authority cannot kept the application

pending for an unspecified period. Such an attitude of the officials in keeping such application pending for long years is to be deprecated.

4. It is duty mandatory on the part of the officials to consider those representations for grant of patta, take a decision and pass appropriate orders on merits and in accordance with law. This being the principles to be followed, this Court is of the opinion that, the present writ petition deserves consideration. Thus without going in to the merits of the matter, the 2nd respondent Tahsildar is directed to consider the representation submitted by the writ petitioner on 27.12.2013 and pass orders on merits and in accordance with law by affording reasonable opportunities to all the parties concerned within a period of 12 weeks from the date of receipt of a copy of this order.

5. The writ petitioner is directed to enclose a copy of the representation and all relevant documents along with the order passed in this present writ petition. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District.

+1 CC to Govt. Pleader sr 63805.

W.P.No. 8366 of 2014

PPA(CO)
SP(11/10/2018)