

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.21132 of 2018

1.Mrs.S.Saraswathy
2.S.Rajesh
3.S.Anitha

Rep.by their Power of Attorney Agent
B.J.Ramesh Babu

.. Petitioners

Vs

The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent to forthwith grant patta for the property of the petitioners measuring 0.28 cents in Survey No.179/17, situated at Nemili Village, Sriperumbudur Taluk, Kancheepuram District in the name of the petitioners by consider and pass orders on the representation of the petitioners dated 03.04.2018 on the basis of the order of the Assistant Settlement Officer, dated 18.1.2012.

For Petitioners : Mr.K.Selvaraj

For Respondent : Mr.J.Ramesh
Additional Government Pleader

O R D E R

Mr.J.Ramesh, learned Additional Government Pleader takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners have come up with the present writ petition, for a mandamus, directing the respondent to issue patta in their favour in respect of the property measuring to an extent of 0.28 cents in Survey No.179/17, situated at Nemili Village, Sriperumbudur Taluk, Kancheepuram District, by considering their representation dated 03.04.2018 on the basis

of the order of the Assistant Settlement Officer, dated 18.1.2012.

3. It is the case of the petitioner that one S.Shanmugam is the absolute owner of the above said property. After his demise, the petitioners being the legal heirs of the deceased inherited the property. According to the petitioners, the said property has been wrongly classified as "Anadheenam" in the SLR, due to which, the petitioners submitted a revision petition before the Assistant Settlement Officer, Chennai, but, the same was rejected. Challenging the same, the petitioners filed a writ petition in W.P.No.16791 of 2011 and this Court, by order dated 20.07.2011, disposed of the said writ petition by directing the Assistant Settlement Officer, Chennai, to consider the revision petition afresh. Pursuant to the same, by order dated 18.01.2012, the Assistant Settlement Officer, Chennai directed the respondent to issue patta in favour of the petitioners. Since the respondent has not complied with the order dated 18.01.2012, the petitioners submitted a representation dated 03.04.2018 to the respondent, which is also pending. Hence, this writ petition.

4. The learned Additional Government Pleader appearing for the respondent fairly submitted that the respondent be directed to dispose of the representation of the petitioners, within a time frame to be fixed by this Court.

5. Considering the facts and circumstances and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent to consider the representation dated 03.4.2018 and pass appropriate orders on merits and in accordance with law, after providing due opportunity of personal hearing to the petitioners as well as all the necessary parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ms

To

The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.56965

+1cc to the Government Pleader, S.R.No.57209

W.P.No.21132 of 2018

RK (CO)
GSP (19/09/2018)



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