

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21-08-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.5999 of 2018

Mr.Adit S.Bafna

.. Petitioner

Vs.

1.The Assistant Commissioner/Competent Authority,
Urban Land Ceiling,
No.5, Sannathi Street,
Ambattur Taluk,
Ponnamallee,
Chennai-600 056.

2.The Tahsildar,
Ambattur Taluk,
Chennai.

.. Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to issue patta in respect of land comprised in Survey No.302/8, measuring an extent of 1.10 acres of Thirumullaivoyal Village, Ambattur Taluk, Thiruvallur District.

For Petitioner : Mr.V.Ramesh for Mr.T.Thiyagarajan

For Respondents : Mr.M.Karthikeyan,
Additional Government Pleader.

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to issue patta in respect of land comprised in Survey No.302/8, measuring an extent of 1.10 acres of Thirumullaivoyal Village, Ambattur Taluk, Thiruvallur District.

2. The learned counsel, appearing on behalf of the writ petitioner, states that the writ petitioner purchased the agricultural lands measuring an extent of 1.10 acres of

Thirumullaivoyal Village, Ambattur Taluk, Thiruvallur District by way of a Sale Deed dated 8.9.2005 bearing document No.9620 of 2005, SRO Ambattur from one Mrs.S.Vadivu, Wife of Mr.P.S.Srinivasan.

3. The grievance of the writ petitioner is that the actions initiated under the Land Ceiling was dropped pursuant to the orders passed by this Court in a writ petition. However, the respondents preferred Writ Appeal in W.A.SR No.95609 of 2013 after a lapse of about 14 years and accordingly, the writ petitioner is entitled for the restoration of patta originally granted in favour of his vendor.

4. However, the representations submitted by the writ petitioner in this regard before the second respondent on 2.8.2016 and on 29.1.2018 have not been considered. The copies of the representations are also sent to the first respondent.

5. This Court is of an opinion that the second respondent has to consider the representations, take a decision and pass orders in accordance with law.

6. In this view of the matter, the second respondent is directed to consider the representations submitted by the writ petitioner on 2.8.2016 and on 29.1.2018 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representations and the relevant documents along with the order passed in this writ petition.

7. Accordingly, the writ petition stands disposed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Assistant Commissioner/Competent Authority,
Urban Land Ceiling,
No.5, Sannathi Street,
Ambattur Taluk,
Ponnamallee,
Chennai-600 056.

2.The Tahsildar,
Ambattur Taluk,
Chennai.

+1cc to Government Pleader sr.no.57896

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nr 06/09/2018



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