

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.28591 of 2018

P.Mohana

... Petitioner

Vs.

1. The Secretary,
Revenue Department and Disaster,
Management Department,
TamilNadu Government, Secretariat,
Chennai 600 009.
2. The Special Commissioner and
Land Commissioner,
Chepauk, Chennai 600 005.
3. The Document Registration Department Officer,
Document Registration Department,
Santhome, Chennai 600 004.
4. The Commissioner and Director,
Land Survey and Records Department,
Chepauk, Chennai 600 005.
5. The District Collector,
Tiruvallur District,
Tiruvallur.
6. The Special Tahsildar,
Tahsildar Office, Madhavaram,
Gandhi Main Road,
Sri Balaji Nagar, Puzhal,
Chennai 600 066.
7. The Sub-Registrar,
Madhavaram Sub-Registration Office,
Madhavaram,
Chennai 600 060.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, and direct the respondent to consider the petitioner representation dated 8.9.2018 within the reasonable time.

For Petitioner : Mr.D.S.Ramesh

For Respondents : Mr.N.Inbanathan
Additional Govt. Pleader
for R1, 2, 4, 5 & 6
Mr.M.Thamizharasan
Govt. Advocate for R3

O R D E R

The petitioner has filed the present Writ Petition seeking a direction to the respondent to consider her representation dated 8.9.2018

2. Heard Mr.D.S.Ramesh, learned counsel appearing for the petitioner, Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents 1, 2, 4, 5 & 6 and Mr.Mr.M.Thamizharasan, learned Government Advocate appearing for the 3rd respondent.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 08.09.2018, seeking not to transfer pattas to a third party with respect to the Survey Numbers mentioned in the petition. Admittedly, there are several Civil Suits pending in OS Nos. 179/16, 180/16, 181/16, 196/16, 197/16 and OS Nos.34/17 and 35/17. It is the claim of the petitioner that though the lands belonged to her family, the encroachers and third parties on the basis of bogus documents attempted to obtain patta. Hence the petitioner seeks a mandamus to all the Revenue Authorities and also the Sub Registrar not to issue patta and not to register the documents.

4. In the above facts and circumstances of the case, such kind of Mandamus cannot be issued, especially when several suits are pending. It is open to the petitioner to seek the above said remedy before the appropriate forum, where the suits are pending.

5. Hence the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jv
To

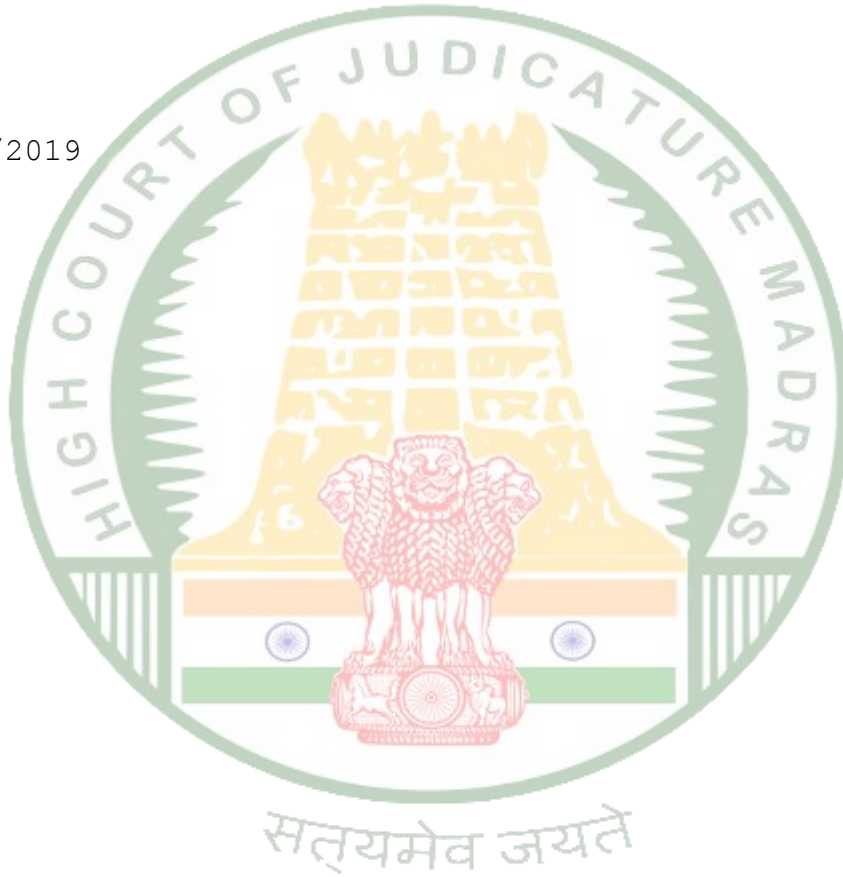
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Chennai 600 066.

7. The Sub-Registrar,
Madhavaram Sub-Registration Office,
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+1cc to the Government Pleader Sr.82619 and 82946
+1cc to Mr.D.S.Ramesh, Advocate Sr.83056 [24/01/2019]

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vd[co]
srg 02/01/2019



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