

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.31317 of 2018

J. Amala Jeyarani

...Petitioner

..Vs..

1.The Tahsildar,
Sriperumbudur Taluk,
Sriperumbudur,
Kancheepuram District.

2. The Revenue Inspector,
Thandalam,
Sriperumbudur Taluk,
Kancheepuram District.

3. Mrs. Grace Shanthi

....Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to complete necessary legal procedure on the representation of the petitioner dated 12.05.2018, cancel wrong patta No.3420, issued to the 3rd respondent herein for the housing plot of the petitioner situated at plot No.137, Balaji Avenue, Old Survey No.391/4, New Survey No.391/39, Valarpuram Village, Sriperumbudur Taluk, Kancheepuram District, measuring about 1300 sq. ft. and issue separate patta in the name of the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.R. Prabhavathy

For Respondents : Mr.N. Inbanathan
Additional Government Pleader
For R1 and R2

O R D E R

By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed seeking for a direction to the first respondent to complete necessary legal procedure on the representation of the petitioner dated 12.05.2018, cancel wrong patta No.3420, issued to the 3rd respondent herein for the housing plot of the petitioner situated at plot No.137, Balaji Avenue, Old Survey No.391/4, New Survey No.391/39, Valarpuram Village, Sriperumbudur Taluk, Kancheepuram District, measuring about 1300 sq. ft. and issue separate patta in the name of the petitioner, within a stipulated period.

3. The case of the petitioner is that the petitioner had purchased a housing plot on 23.07.2000 from Mrs. Chinnammal represented by her power of attorney. He had applied for separate patta and requested for sub division. As there is no response from the respondents 1 and 2, representations were given by the petitioner on 08.03.2009 and 30.08.2009 and again he made a representation in the year 2014 also. However, in the meantime, for the same property, patta was issued in the name of the third respondent dated 17.03.2005. The third respondent had also made a representation on 28.06.2015 to the first respondent that issuance of fresh patta by cancelling the earlier patta No.3420 dated 17.03.2005. Again the representation was made by the petitioner on 12.05.2018 to the first respondent, pursuant to which the first respondent on 15.05.2018, issued a direction to the second respondent to enquire into the matter and file a report. Since no action has been taken by the second respondent, till date the petitioner has come forward with this writ petition seeking for the aforesaid relief.

4. Heard Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of the case and having regard to the submissions made, without going into the merits of the case, this Court directs the second respondent to comply with the order of the first respondent dated 15.05.2018, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same the first respondent is directed to pass orders on the representation of the petitioner dated 12.05.2018, on merits and in accordance with law, after issuing notice to the petitioner and the third respondent herein and also affording due opportunity of hearing to the petitioner, third respondent herein as well as any of the interested

parties, within a period of six weeks thereafter.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

rli/arr

To

1.The Tahsildar,
Sriperumbudur Taluk,
Sriperumbudur,
Kancheepuram District.

2. The Revenue Inspector,
Thandalam,
Sriperumbudur Taluk,
Kancheepuram District.

+1cc to Mr.R.Prabavathy, Advocate SR.No.81592

+1cc to Government Pleader SR.No.81733

RR(CO)
GMY(04/01/2019)

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