

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.1642 of 2019
and WMP No.1828 of 2019

M.S.Ravindra Kumar

.. Petitioner

Vs.

1. The District Collector,
Thiruvallur Collectorate,
Thiruvallur District.

2. The Revenue Divisional Officer,
Thiruvallur District,
Thiruvallur.

3. The Tahsildar,
Thiruvalankadu,
Thiruvallur.

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representations of the petitioner dated 26.07.2017, 13.05.2018 and 25.11.2018 and grant patta in favour the petitioner in respect of Survey Nos.311/3, 311/7 and 311/8 in Pattaraiperumbudur Vilalge of Thiruvallur District and consequently forbear the respondents from evicting the petitioner without following due process of law.

For Petitioner : M/s.Ami V.Kataria

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader.

ORDER

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

2. This Writ Petition has been filed seeking for a

mandamus directing the respondents to consider the representations of the petitioner dated 26.07.2017, 13.05.2018 and 25.11.2018 and grant patta in his favour in respect of Survey Nos.311/3, 311/7 and 311/8 in Pattaraiperumbudur Village of Thiruvallur District and consequently to forbear the respondents from evicting the petitioner without following due process of law.

3. According to the learned counsel for the petitioner, the petitioner has submitted representations dated 26.07.2017, 13.05.2018 and 25.11.2018 seeking issuance of patta in his favour. Even as per the paper book furnished before this Court, after the representations sent by the petitioner, a show cause notice was issued under Section 7 of the Land Encroachment Act, calling upon him to appear in person and give an explanation. In response to the same, the petitioner has also sent a reply on 28.12.2018.

4. Heard Mr.V.Shanmugasundar, learned Special Government Pleader on behalf of the respondents.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representations, directs the respondents to conduct an enquiry, based on the reply dated 28.12.2018 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Srn

To

1. The District Collector,
Thiruvallur Collectorate,
Thiruvallur District.

2. The Revenue Divisional Officer,
Thiruvallur District,
Thiruvallur.

3. The Tahsildar,
Thiruvalankadu,
Thiruvallur.

+1 cc to M/s.Ami.V.Kataria, Advocate SR.No.5744

W.P.No.1642 of 2019

EV(CO)
CSL/12.02.2019



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