

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.13495 of 2019

G.Sridhar Raj

...Petitioner

Vs.

1. The Tahsildar,
Office of Tahsildar,
Pallavaram,
Chrompet,
Chennai - 600 044.

2. The District Collector,
Office of the District Collector,
Kancheepuram District,
Kancheepuram.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 20.07.2018 in R.P.T.No.1152/2018 within such time as may be stipulated by this Hon'ble Court.

For Petitioner : Ms.S.Shalni

For Respondents : Mr.R.Govindasamy

सत्यमेव जयते
O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus directing the first respondent to consider the representation dated 20.07.2018 in R.P.T.No.1152/2018 within such time as may be stipulated by this Court.

3. The case of the petitioner is as follows:

The property consisting of house and land bearing Door No.306, G.S.T. Road, Chrompet, Chennai - 600 044 comprised in old Survey No.531/4 and new Survey No.531/24B, Zamin Pallavaram Village, Kancheepuram District, admeasuring an extent of 3828 square feet, originally, belonged absolutely to one Mrs.Gangabai, who purchased the same, vide Sale deed dated 27.04.1962, registered as Document No.1948/1962. The said D.Gangabai executed a sale deed dated 25.03.1982 in favour of one G.Gurusamy and sold half undivided share in the subject property and thereafter, the said D.Gangabai executed a sale deed dated 25.03.1982 in favour of Mathalai Mary and sold the remaining half undivided share in the subject property. The said Gurusamy and Mathailai Mary became the absolute owners of the subject property and the revenue records such as patta, chitta and adangal were mutated in their names. The said Gurusamy and Mathalai Mary are the parents of the petitioner. Under such circumstances, the Government of Tamil Nadu acquired the lands for the purpose of construction of the over bridge near MIT Gate in Zamin Pallavaram by paying the compensation to the petitioner's mother Mathalai Mary. The petitioner's mother and father were equally entitled to 1914 sq.ft. each in the total extent of 3828. 209 sq.meters of land was acquired by the Government. 1914 sq.ft of land belonging to the petitioner's mother was completed acquired and 374 sq.ft. of land, out of 1914 sq.ft owned by the petitioner's father was acquired by the Government and for the remaining 1540 sq.ft. land, G.Gurusamy became the absolute owner. The father of the petitioner, G.Gurusamy executed a settlement deed dated 7.12.2011 registered as Document No.7838/2011 in favour of the petitioner admeasuring 1540 sq.ft. and the petitioner became the absolute owner of the said land. The petitioner made a representation dated 20.07.2018 for issuance of patta. Since the same was not considered so far, the present writ petition has been filed.

4. Heard both sides. सत्यमेव जयते

5. The grievance of the petitioner before this Court is that the said representation has not been considered by the respondents so far.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the first respondent to consider the petitioner's representation dated 20.07.2018 and pass orders

on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Tahsildar,
Office of Tahsildar,
Pallavaram, Chrompet,
Chennai - 600 044.
2. The District Collector,
Office of the District Collector,
Kancheepuram District,
Kancheepuram

+3cc to Ms.S.Shalni, Advocate, S.R.No.42832
+1cc to the Government Pleader, S.R.No.43229

W.P.No.13495 of 2019

GJII(CO)
CS/03/05/2019

सत्यमेव जयते

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