

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.10.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.27026 of 2019

M.Rikabchand

.. Petitioner

/versus/

1.Sate of Tamil Nadu

Represented by Secretary to Government,
Revenue Department,
Fort St.George,
Chennai 600 009.

2.The Tahsildar,
Madhavaram,
Chennai 600 060.

3.The Village Administrative Officer,
Puthagaram Village,
Kadappa Road,
Ambattur Taluk,
Thiruvallur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider and pass orders with regard to the request made by the petitioner in his application dated 13.03.2019.

For Petitioner :Mr.K.P.Chandrasekaran
For Respondents :Mr.N.Inbanathan, AGP
for R1 to R3

ORDER

The Writ Petition has been filed praying to issue a Writ of Mandamus directing the respondents to consider and pass orders with regard to the request made by the petitioner in his application dated 13.03.2019.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The grievance of the petitioner is that he purchased a property comprised in S.No.27/3D bearing patta No.1003 to an extent of 2200 sq.ft from one K.Baskar Rao under a registered sale deed dated 29.04.2002. Since there was some error in the description of the boundaries, he executed a rectification deed and the same was registered vide Doc.No.1069 of 2005 at Ambattur Registrar Office. Thereafter, the petitioner has applied for issuance of patta which was not considered. Hence, a writ petition in W.P.No.2612 of 2005 was filed, wherein a direction was given by this Court to consider his representation of the petitioner and pass orders within a period of eight weeks. Though several years have lapsed, the respondents have not issued patta. Hence, a fresh writ petition is filed after making representation dated 13.03.2019 to the respondents.

4.In the counter filed by the 2nd respondent, it is stated that the petitioner has purchased the property falling under S.No.27/3D at Puthakaram Village. However, due to some error patta was granted to the different land. The said error has to be rectified first. After rectifying the error in the revenue record, based on the boundaries described in the petitioner's title deed, a patta will be issued to the petitioner.

5.It is specifically stated in the counter-affidavit of the second respondent that the land in S.No.27/2D of Puthakaram Village measuring to an extent of 2.00 ares was registered in the revenue records vide, patta No.8671. But, the petitioner's property was wrongly identified and he was granted patta for the nearby land. The Sub Inspector of Survey has further reported to the Tahsildar that necessary arrangements would be made to rectify the said defect and the actual boundaries of the property purchased by the petitioner would be pointed out to him shortly.

6.In the light of the above submission, the second respondent is directed to take appropriate action on the representation of the petitioner dated 13.03.2019 and point out the boundary line of the petitioner's property as per the revenue records and title deed, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
State of Tamil Nadu
Revenue Department,
Fort St.George,
Chennai 600 009.

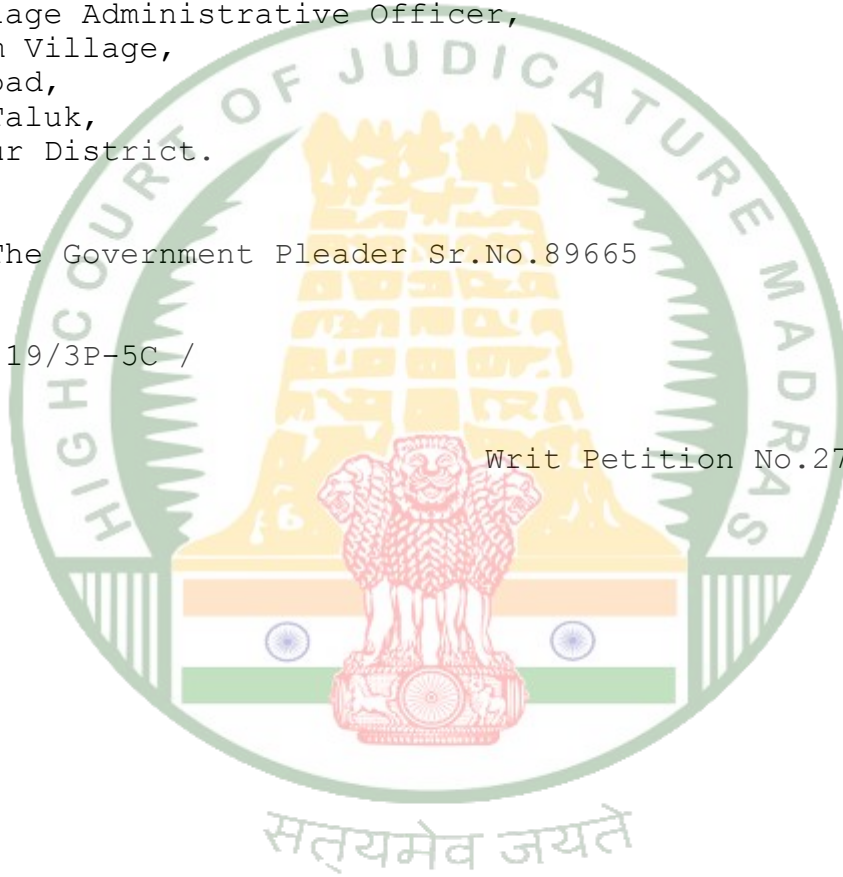
2.The Tahsildar,
Madhavaram,
Chennai 600 060.

3.The Village Administrative Officer,
Puthagaram Village,
Kadappa Road,
Ambattur Taluk,
Thiruvallur District.

+1 cc to The Government Pleader Sr.No.89665

AKM/28.11.19/3P-5C /

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