

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.10.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.24912 of 2019
and
W.M.P.Nos.24509 and 24510 of 2019

N.Santhikumari ... Petitioner
Versus

The Tahsildar of Ponneri,
Ponneri ... Respondent

PRAYER:-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the order dated 27.02.2019 of the respondent made in Na.Ka.2211/2016/AA1 and to quash the same and direct the respondent and provide the patta for 12 feet existence land in the Survey No.144/2A of the petitioner property.

For Petitioner .. Mr.V.Nandagopalan

For Respondent .. Mr.N.Inbanathan,
Additional Government Pleader

O R D E R

The petitioner herein has filed this Writ Petition seeking Certiorarified Mandamus, to call for the records of the respondent pertaining to the order dated 27.02.2019 of the respondent made in Na.Ka.2211/2016/AA1 and to quash the same and direct the respondent and provide the patta for 12 feet existence land in the Survey No.144/2A of the petitioner property.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. The petitioner has sought for patta for 12 feet existetnce land which according to him is adjacent to his land in S.No.144/2A. Earlier, the Writ Petition in W.P.No.25339 of 2016 has been filed for directing of the representation dated 17.01.2014 given by the petitioner and this Court has allowed the same by order dated 21.07.2016.

4. In such circumstances, the respondent herein has issued an order dated 27.02.2019 wherein he has considered the representation of the petitioner and found that except the land in portion of the petitioner in S.No.144/2, the patta for 12 feet, adjacent to his land therein is in the name of one Srinivasan, S/o. Annamalai, which falls in S.No.144/10 and Patta No.35 has been issued to the said Srinivasan. Challenging that order, the present Writ Petition is filed.

5. First of all, the petitioner has not impleaded the said Srinivasan that apart, due to the direction of this Court, the Tahsildar has also inspected the place and has found that the portion of the land in which the petitioner seeks patta, belongs to somebody else and the order has been passed accordingly.

6. In the light of the above fact that when the petitioner has no documents to show that he has something more than his title deed indicate and more particularly when the land in which he seeks patta belongs to Srinivasan, S/o.Annamalai, this Writ Petition cannot be entertained. This Court finds no illegality or error in the order of the respondent declining the request of the petitioner. If the petitioner still has any right or claim over the property in which the respondent declines patta, he has to workout his remedy before the Civil Court as against the said Srinivasan.

7. In the result, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

nvi

To

The Tahsildar of Ponneri,
Ponneri

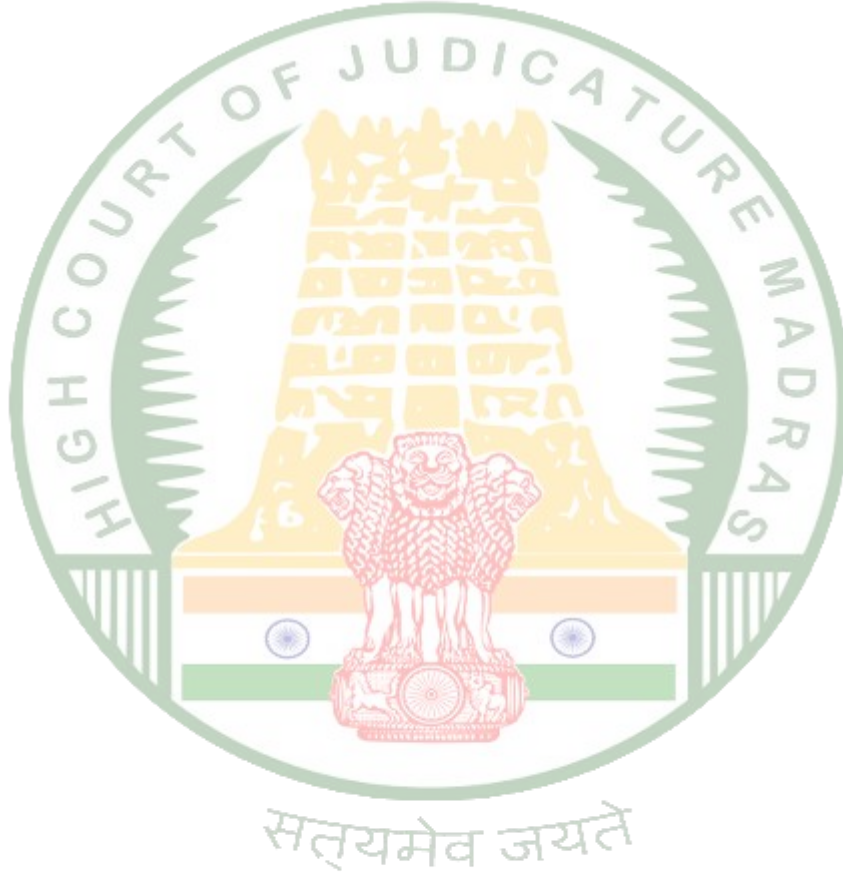
+1 cc to Government Pleader Sr.No.88664

+2ccs to Mr.Nandagopalan , Advocate SR.No. 88836

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A.SK(26/11/2019)



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