

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.13171 of 2013
and M.P.No.1 of 2013

Munusamy

... Petitioner

Vs.

1.The District Collector,
Collector's Office, Thiruvallur.

2.The Tahsildar,
Ambattur Taluk Office,
Ambattur, Chennai - 600 053.

3.K.Ganesan

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus to direct the respondents 1 & 2 to issue an assignment patta to an extent of 11 sq.mts. to the petitioner as recommended by the 2nd respondent by proceedings Na.Ka.C-2/3598/97 dated 26.03.1998.

For Petitioner : Mr.P.Thiagarajan

For Respondents: Ms.A.Madhumathi,

Special Government Pleader (R1 & R2)

Mr.B.Hari Krishnan (R3)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondents 1 & 2 to issue an assignment patta to an extent of 11 sq.mts. to the petitioner as recommended by the 2nd respondent by the proceedings dated 26.03.1998.

2.Mr.P.Thiagarajan, learned counsel appearing for the petitioner submitted that inspite of the recommendation made by the 2nd respondent on 26.03.1998, the respondents 1 and 2 have not issued the assignment patta for an extent of 11 sq.mts.

3.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that a direction may be given to the 1st respondent to consider the petitioner's representation dated 08.04.2013 and pass orders in accordance with law, after giving notice to the 3rd respondent.

4.Mr.B.Hari Krishnan, learned counsel appearing for the 3rd respondent submitted that the District Collector viz., the 1st respondent may be directed to conduct an enquiry and pass orders in accordance with law, after giving notice to the 3rd respondent. Further, the learned counsel submitted that liberty may be given to the 3rd respondent to produce all the relevant documents before the District Collector.

5.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's representation dated 08.04.2013 and pass orders on merits and in accordance with law, after giving notice to the 3rd respondent. The petitioner as well as the 3rd respondent are at liberty to produce all the relevant documents in respect of their respective cases.

6.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Collector's Office, Thiruvallur.

2.The Tahsildar,
Ambattur Taluk Office,
Ambattur, Chennai - 600 053.

+1 cc to Government Pleader,sr.24888.

Pvs (co)
krd 3/9

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