

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.20023 of 2018
and
W.M.P.No.23465 of 2018

M.Nagaiah

...Petitioner

Vs.

1. The Tahsildar,
No.2, Perambur High Road,
Chennai- 600 011.

2. M/s.Anjamma

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 1st respondent herein to measure the land of the petitioner based on the application No.1711 dated 09.02.2017 and issue with patta in favour of the petitioner for the land property situated in No.69/33, Plot No.305, Narashima Nagar, Pulianthope, Chennai - 600 012.

For Petitioner : Mr.P.Mohan Prasad

For R1 : Mr.G.Rajesh

For R2 : Mr.P.Arumugavel

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to measure the land and to issue patta in favour of the petitioner.

2. The case of the petitioner is that he purchased the property by virtue of registered Sale Deed dated 03.11.1989. According to the petitioner, the second respondent has also purchased the land which is adjacent to the property of the petitioner. The petitioner alleges that the second respondent has encroached a portion of his property. The petitioner

therefore made an application to the first respondent to measure the land belonging to the petitioner and the second respondent and to issue patta. Since the same was not considered, the present Writ Petition is filed before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first respondent to enquire into the application given by the petitioner on 09.02.2017, after giving an opportunity to the second respondent, on its own merits and in accordance with law and if required by taking the measurement of the property of the petitioner and the second respondent and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order. The first respondent shall issue notice to the second respondent before proceeding further with enquiry.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvi

To

The Tahsildar,
No.2, Perambur High Road,
Chennai- 600 011.
+1 cc to The Government Pleader, Sr.No. 19264

RK (CO)
RMP (16/07/2020)

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