

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.17765 of 2020

P.Krishnan

...Petitioner

Vs.

1 The District Collector
Collectorate
Ranipet, Ranipet District.

2 The Tahsildhar
Sholinghur
Sholinghur Taluk
Ranipet District.

3 The Village Administrative Officer
Rendadi Village
Sholinghur Taluk
Ranipet District.

4 P.Nagappan

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing 2nd Respondent to grant separate patta in petitioner's name to the properties situated in S.No.407/1 to an total extent of 20 Ares in that to an extent of 17 cents and in S.No.404/1 to an total extent of 0.43.5 extent in that 13 1/4 cents situated in Rendadi Village Account, Sholinghur Taluk, Ranipet District, as per boundaries mentioned in schedule of property item 3 and 4 mentioned in decree in O.S.No.156/2018 on the file of Subordinate Judge, Arakkonam, based upon the petitioner's representation dated 20.01.2020.

For Petitioner : Mr.A.Gouthaman

For Respondents 1 to 3: Mr.G.Rajesh
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to act upon the representation made by the petitioner on 20.01.2020, wherein the petitioner is seeking for issuance of a separate patta in his name with respect to the subject property.

2. Heard Mr.A.Gouthaman, learned counsel for petitioner and Mr.G.Rajesh, learned Government Advocate for respondents 1 to 3.

3. The case of the petitioner is that the patta with respect to the subject property originally stood in the name of the fourth respondent. The fourth respondent also started claiming title over the subject property. A suit was filed by the petitioner before the Sub-Court, Arakkonam in O.S.No.156 of 2018 seeking for the relief of declaration of title and permanent injunction. According to the petitioner, this suit was decreed in his favour by judgment and decree dated 04.04.2019. It is stated that this decree has become final.

4. The petitioner, based on the above judgment and decree passed by the competent Civil Court, made a representation to the respondents seeking for issuance of separate patta in his name. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 20.01.2020 and conduct an enquiry by giving an opportunity to the petitioner and the fourth respondent and final orders shall be passed strictly in accordance with law, 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 second respondent along with all the relevant documents and a copy of this order.

4. This Writ Petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mra
To

1 The District Collector
Collectorate
Ranipet, Ranipet District.

2 The Tahsildhar
Sholinghur
Sholinghur Taluk
Ranipet District.

3 The Village Administrative Officer
Rendadi Village
Sholinghur Taluk
Ranipet District.

+1 CC to Mr.A.Gouthaman, Advocate sr 39962.

+1 CC to The Government Pleader sr 40111.

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AD(CO)
SP(08/01/2021)



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