

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.13081 of 2020

Mrs. A. Selvakumari

... Petitioner

Vs.

1. The District Collector,
Ranipet,
Ranipet District 632 401.
2. The Tahsildar,
Arcot,
Ranipet District 632 503

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents to dispose the petitioner's application dated 09.12.2019 for grant of patta for the property at No.14 B, Ramalinga Adigal Street, Arcot, Ranipet District 632 503, comprised in Survey No.101/A/23 (T.S.No.20/1) Arcot Town, to an extent of 789 $\frac{3}{4}$ sq.ft. In a time bound period.

For Petitioner : Mr.K. Mohanamurali
For Respondents: Mr.E. Balamurugan
Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed for the issuance of Writ of Mandamus directing the respondents to dispose of the application submitted by the petitioner on 9.12.2019 wherein, the petitioner is seeking for grant of patta with respect to the subject property.

2. Heard Mr. K. Mohanamurali, learned counsel appearing for the petitioner and Mr. E.Balamurugane, learned Special Govt. Pleader appearing for the respondents.

3. The case of the petitioner is that he is the absolute owner of the subject property by virtue of a registered Settlement Deed dated 19.5.1979. A suit was filed by one Ganesan Naicker in O.S.No.5 of 1996 claiming right over the property and the same was dismissed by judgment and decree dated 28.4.1999. This was subsequently confirmed by the Sub Court, Vellore in

A.S.No.37 of 1999 by judgment and decree dated 22.1.2002 and the same was subsequently confirmed by this Court in S.A.No.1890 of 2002 by judgment and decree dated 29.4.2014. The case of the petitioner is that he has succeeded before all courts and he is in possession and enjoyment of the property. The petitioner made an application before the respondents on 9.12.2019 seeking for patta. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and also the limited relief sought for in the writ petition, there shall be a direction to the 2nd respondent to consider the application submitted by the petitioner on 9.12.2019 and conduct the enquiry in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. If the 2nd respondent finds that the interest of any other third party is also involved in this case, notice shall be issued to the concerned party and thereafter, after giving opportunity to both sides, final order shall be passed. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the application dated 9.12.2019 and all the other relevant documents and also a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

- 1.The District Collector,
Ranipet,
Ranipet District 632 401.
- 2.The Tahsildar,
Arcot,
Ranipet District 632 503.

WP.No.13081 of 2020

GJ(CO)
RMP(18/11/2020)