

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2017

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13883 of 2020

G.Lakshmipathy

... Petitioner

vs.

1. The Joint Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.

2. The Revenue District Officer,
Tiruvallur District, Tiruvallur.

3. The Tahsildar,
Uthukottai Taluk,
Tiruvallur.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the second and third respondents to issue the patta in the name of the petitioner based upon the representation given by the petitioner dated 23.09.2019.

For Petitioner : Ms.Suganya Maya

For Respondents: Mr.E.Balamurugan
Spl.Govt.Pleader

ORDER

This writ petition has been filed for the issue of a writ of Mandamus directing the second and third respondents to act upon the representation made by the petitioner on 23.09.2019 and issue patta in favour of the petitioner with respect to the subject property.

2. Ms.Suganya Maya, learned counsel appearing on behalf of the petitioner submitted that the subject property situated at S.No.144/1 and measuring an extent of 20.05 cents for originally owned by one Ramulu Chetty. In the year 1940, there was a family partition and this property was allotted to the share of the said Ramulu Chetty. The learned counsel further submitted that after his demise the property developed upon his two sons.

Subsequently, the petitioner has inherited the property. The learned counsel submitted that there was some discrepancy in revenue records and therefore, the petitioner wanted to correct the said discrepancy and get a patta in his favour. Therefore, a representation was made for that purpose on 26.11.2014. The learned counsel further submitted that the first respondent by letter dated 02.12.2014, directed the official to act upon the representation made by the petitioner. The petitioner also made a subsequent representation to the second and third respondents on 23.09.2019. Since the same was not considered by the respondents, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents submitted that the third respondent has fixed the preliminary enquiry on 13.10.2020 at 11.00 A.M. and he had directed the parties to be present for the enquiry along with all the relevant documents. The learned counsel submitted that the petitioner can participate in the enquiry and after the completion of the enquiry, the report will be submitted before the second respondent and the second respondent will pass appropriate orders within the time stipulated by this Court.

4. 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 third respondent to conduct the preliminary enquiry after affording opportunity to the petitioner and any other interested parties and shall submit a report before the second respondent within a period of six weeks from the date of receipt of a copy of this order. The second respondent on receipt of the report, shall pass final orders strictly in accordance with law, within a period of six weeks thereafter.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar
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//True Copy//

Sub Assistant Registrar

rli

To

1.The Joint Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.

2. The Revenue District Officer,
Tiruvallur District, Tiruvallur.

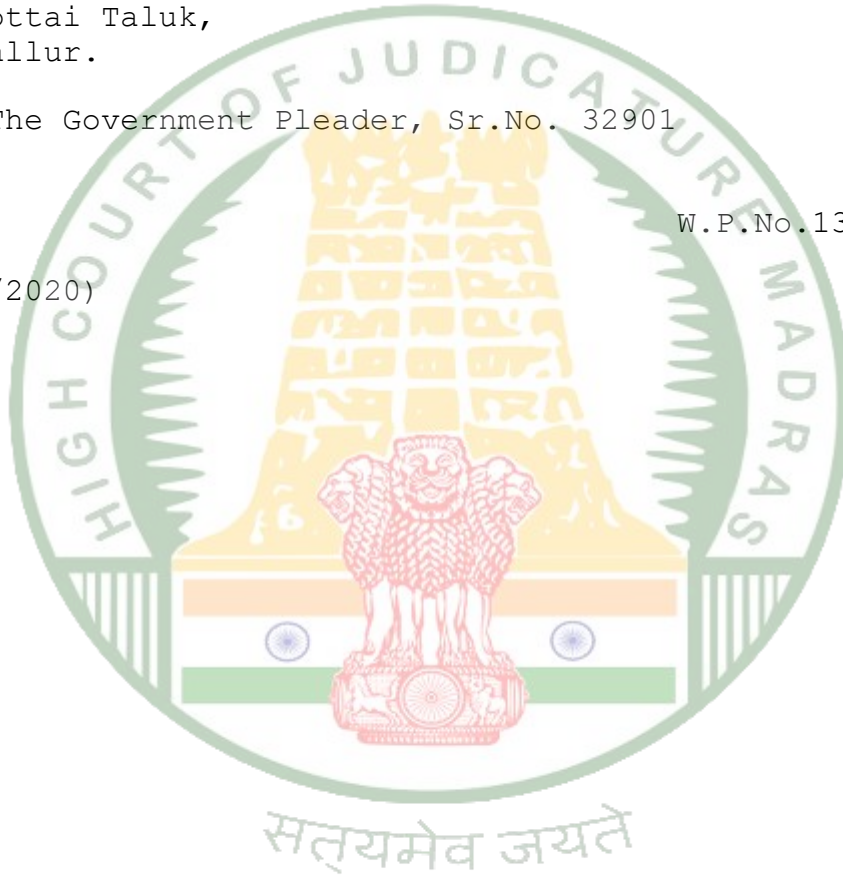
3. The Tahsildar,
Uthukottai Taluk,
Tiruvallur.

+1 cc to The Government Pleader, Sr.No. 32901

W.P.No.13883 of 2020

RSI (CO)

RMP (10/11/2020)



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