

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.20419 of 2014

R. Raja Lakshmi

...Petitioner

Vs.

1. The District Collector,
Collectorate,
Rajaji Salai,
Chennai - 600 001.

2. The Thasildar,
Taluk Office,
Ayanavaram,
Chennai - 600 023.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus to direct the respondents to dispose of the petitioner's representation dated 23.05.2014 seeking to issuance of patta in her name in respect of S.No.71 part block No.26, Pymash No.972 to an extent of 1,110 sq.ft. in all situated at No.64 (part), Indira Gandhi Nagar, Konnur Lane in Konnur High Road, Ayanavaram, Chennai - 600 023. Within a time frame to the filed by this Hon'ble Court.

For Petitioner : Ms.G.Mahar Amudha Surya
for M/s.Meera Gnanasekar

For Respondents : Ms.A.Madhumathi
Special Government Pleader

W R D E R

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents to dispose of the petitioner's representation dated 23.05.2014 seeking issuance of patta in her name in respect of S.No.71 part block No.26, Pymash No.972, measuring an extent of 1110 sq.ft. situated at No.64 (part), Indira Gandhi Nagar, Konnur Lane in Konnur High Road, Ayanavaram, Chennai - 600 023.

2.Heard Ms.G.Mahar Amudha Surya, learned counsel appearing for the petitioner and Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents.

3.When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents, submitted that, on enquiry, the 2nd respondent found that the petitioner is not in possession of the property and is also not having any title over the property in question. To that effect, the 2nd respondent has also filed a counter affidavit, wherein, the 2nd respondent has also stated that there was a civil suit pending between the private parties in O.S.No.4747 of 1977, which ended against the petitioner in second appeal in S.A.No.714 of 2012. The 2nd respondent has specifically stated that the petitioner is not in possession and enjoyment of the said property and therefore, patta cannot be issued to her.

4.The petitioner has not established her title or possession over the property for the issuance of patta. In such view of the matter, the prayer sought for by the petitioner cannot be granted. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Rajaji Salai,
Chennai - 600 001.

2. The Thasildar,
Taluk Office,
Ayanavaram,
Chennai - 600 023.

+1cc to the Government Pleader in Sr.30068

W.P.No.20419 of 2014

ajs(co)
rv(28/9/2020)