

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.11503 of 2014

M.P.No.1 of 2014

Mrs.K.B.Meena

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Petitioner

Vs.

1.The Collector of Chennai,
Rajaji Salai,
Chennai - 600 001.

2.The Tahsildar,
Ayanavaram Taluk,
Ayanavaram,
Chennai - 600 023.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus to direct the respondents to issue correct patta after measuring the petitioner land situated at Old Door No.4/1, New Door No.11, Plot No.4, Chakaravarthy Colony, Ayanavaram, Chennai - 600 023.

For Petitioner : Mr.P.Rajendra Kumar
for M/s.P.Sukumar

For Respondents : Mr.R.S.Selvam
Government Advocate

O R D E R

This writ petition has been filed for a mandamus to direct the respondents to issue correct patta after measuring the petitioner's land situated at Old Door No.4/1, New Door No.11, Plot No.4, Chakaravarthy Colony, Ayanavaram, Chennai - 600 023.

2.It is the case of the petitioner that she is the absolute owner of the above mentioned property, she having purchased the same under a sale deed dated 25.02.2002 registered as Document No.592/02, SRO, Anna Nagar.

3.It is her case that she had applied for patta after her purchase to the Tahsildar, Purasaiwalkam-Perambur Taluk who has

also issued a patta under C.A.No.1146/2006 dated 19.10.2006 in her name. However, on verification, she found that the patta issued to her is not tallying with the measurements on the site. It is her case that she made several representations including the last representation dated 23.09.2013 to the second respondent calling upon him to rectify the mistake committed in the patta dated 19.10.2006 and issue a fresh patta in her name.

4.According to the petitioner, despite several representations, the second respondent has not rectified the mistake and not issued a fresh patta for the correct measurement in her favour. In such circumstances, this writ petition has been filed.

5.Heard Mr.P.Rajendra Kumar, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate for the respondent Nos.1 and 2.

6.A positive direction has been sought in this petition for grant of corrected patta cannot be granted by this Court. It is for second respondent to consider the petitioner's representation requesting for rectification of mistake and issuance of a fresh patta in accordance with law.

7.Admittedly, the second respondent has not considered the petitioner's representations including the last representation dated 23.09.2013, seeking for correction of mistake in the earlier patta and for issuance of a fresh patta in the name of petitioner.

8.This being the case, this Court directs the second respondent to consider the petitioner's representation dated 23.09.2013 seeking for correction of the mistake found in the earlier patta dated 19.10.2006 in C.A.No.1146/2006 and issue a fresh patta after correcting the mistake in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that the respondents shall pass final orders only after hearing all the interested parties to the subject property.

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9.With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

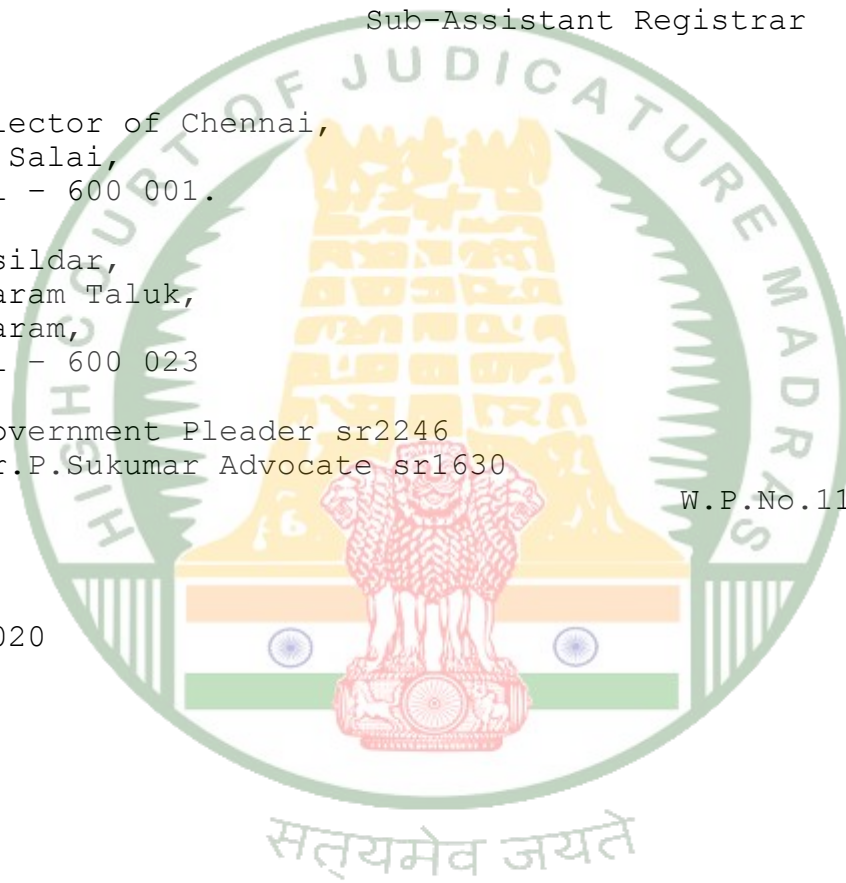
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Ayanavaram,
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+lcc to Government Pleader sr2246
+lcc to Mr.P.Sukumar Advocate sr1630

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