

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.06.2020

CORAM

THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.17895 of 2014
(Heard through Video Conferencing)

Mr.Elumalai

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.Revenue Divisional Officer,
Chengalpattu,
Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of Mandamus directing the respondents to consider the petitioner's representation dated 04.03.2014 to cancel the patta in Patta No.590 for the property comprised in Survey No.47/3 and 47/6B, Alapakkam Village, Chengalpattu Taluk, Kancheepuram District and issue patta in the name of the petitioner within the stipulated time granted by this Court.

For Petitioner :Mr.V.Manohar

For Respondents :Ms.A.Madhumathi,
Special Government Pleader

ORDER

Heard Mr.V.Manohar, learned counsel for the petitioner and Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents.

2.This writ petition has been filed to direct the respondents to consider the petitioner's representation dated 04.03.2014 to cancel the patta issued in the name of one Mr.Palani in Patta No.590 for the property comprised in Survey No.47/3 and 47/6B, Alapakkam Village, Chengalpattu Taluk,

Kancheepuram District and issue patta in the name of the petitioner within the stipulated time to be granted by this Court.

3.The petitioner though seeks for such a relief, the said Mr.Palani in whose name the patta stands has not been impleaded as a respondent in this writ petition. Therefore, in his absence, no positive direction as sought for by the petitioner could be granted.

4.The petitioner would state that he has filed a suit in O.S.No.387 of 2007 before the Subordinate Court, Chengalpet for cancellation of a sale deed dated 05.02.2007 registered as document No.647 of 2007 which is stated to have been executed in favour of Mr.Palani and the suit has been decreed by judgment and decree dated 30.10.2010.

5.As stated earlier, in the absence of Mr.Palani being impleaded as respondent in the writ petition, no direction as prayed for by the petitioner could be granted at this juncture. Hence, the writ petition is disposed of with a direction to the petitioner to submit a fresh and comprehensive representation to the respondents for consideration and the respondents shall consider the same and issue notice to the petitioner and Mr.Palani and any other person who is likely to be aggrieved and take a decision on merits and in accordance with law as expeditiously as possible preferably, within a period of four months from the date on which the representation is being submitted by the petitioner. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

jbm
To

1.The District Collector,
Kancheepuram District,
Kancheepuram.
2.Revenue Divisional Officer,
Chengalpattu,
Kancheepuram District.

W.P.No.17895 of 2014

RLD (CO)
RMP (21/07/2020)