



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.24969 OF 2021

Sushila Nagar Residents
Welfare Association - Kovilambakkam
(Regd.No.419 of 2009)
Represented by its Secretary
Flat No.G-4, Ruby Enclave,
No.18, 12th Street,
Sushila Nagar, Kovilambakkam,
Chennai 600 117

...Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Chengalpet.
2. Tahsildhar,
Tambaram Taluk,
Tambaram,
Chengalpet District.
3. S.D.Properties
Represented by S.Dhanraj,
No.123, Vanchinathan Street,
Annai Indira Nagar,
Velachery,
Chennai 600 042.

...Respondents

Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the second respondent to conduct enquiry in pursuant to the communication of the first respondent in O.Mu.No.44897 / 10 No:3 dated 17.12.2010.



WEB COPY

For Petitioner : Mr.S.Sai Shankar
For Respondents : Mr.Yogesh Kannadasan,
For R1 & 2 : Special Government Pleader

ORDER

This writ petition has been filed to issue a writ of mandamus directing the second respondent to conduct enquiry in pursuant to the communication of the first respondent in O.Mu.No.44897 / 10 No:3 dated 17.12.2010.

2. The petitioner filed petition before the first respondent to cancel patta stands in the name of the third respondent in the year 2010. On receipt of the same, the first respondent directed the second respondent to take appropriate action and report by communication dated 17.12.2010. Thereafter, the second respondent did not conduct any enquiry.

3. However, the petitioner approached this Court after period of eleven years from the date of the said communication of the first respondent. Therefore, this Court cannot direct the second respondent to consider the said representation in view of the direction issued by the first respondent to cancel the patta stood in the name of the third respondent.

4. However, the petitioner is directed to submit a fresh application before the authority concerned to cancel the patta issued in favour of the third respondent and on receipt of the same, the authority concerned is directed to consider the same and, after issuance of notice to the third respondent and counter parties, if any, and giving them opportunity of hearing, pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

lok



To

1. The District Collector,
Office of the District Collector,
Chengalpet.

2. The Tahsildhar,
Tambaram Taluk,
Tambaram,
Chengalpet District.

3. S.D.Properties
Represented by S.Dhanraj,
No.123, Vanchinathan Street,
Annai Indira Nagar,
Velachery,
Chennai 600 042.

+1cc to the Government Pleader, S.R.No.61104

WP.No.24969 of 2021

NR(CO)
RLP(03/12/2021)