

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 30.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.37072 of 2016 and WMP No.31869 of 2016

1.E.Mohana Ammal
2.D.Ezhillan
3.G.Uthamakumar
5.Navaneetham
6.Poonkothai

...Petitioners

-Vs-

1 The Collector
Office of the Collector of Kancheepuram
District Kancheepuram District
2 The Revenue Development Officer,
Chengalpet District
Chengalpet
3 The Thasildhar,
Padur Village, Thiruporur,
Kancheepuram District
4 The Superintendent of Police
Kancheepuram District Kancheepuram
5 Mr.Gopala Krishnan
6 Mr.Govindasamy

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st to 3rd Respondents to issue patta in Petitioners favour in respect of Scheduled mentioned property of Housing Lands measuring 3.3/4 in Survey No. (Old) 358/1 New Survey No.652/ 35 in Kamarajar Street Padur Village Kancheepuram District.

For Petitioner : No appearance

For Respondents : Ms.Akila Rajendran
Government Counsel-for RR 1 to 4

O R D E R

The prayer sought for herein is for the issuance of a Writ of Mandamus directing the 1st to 3rd Respondents to issue patta in Petitioners favour in respect of Scheduled mentioned property of Housing Lands measuring 3.3/4 in Survey No. (Old) 358/1 New Survey No.652/ 35 in Kamarajar Street Padur Village Kancheepuram District.

2. Insofar as the household property at New No.652/35 at Padur Village, Kancheepuram District, it is the claim of the petitioners that, during his grand father's time, the petitioners' father and his other brothers had inherited the property and except the petitioners' father the other brothers applied for patta and got the same issued by the Government for having dwelling houses. In this regard, even though patta has been given to the brothers of the petitioners' father, no such patta was given to the petitioners' father Govindan. However, the land was allotted to the said Govindan and after his demise, the petitioners are said to be in possession and enjoyment of the property to the extent of 3.3/4 cents of S.No.652/35 and in respect of the said land, to get patta, the petitioners had given a representation on 30.05.2016 to the first respondent / District Collector and also the second and third respondents subsequently on 07.06.2016 and 27.06.2016 and none of the representations since have been considered by the respective respondents, the petitioners have approached this Court with the aforesaid prayer.

3. When the case is taken up for hearing, there is no representation for the petitioner. However, the aforesaid case projected by the petitioner has been stated in the affidavit as well as the contents made in the representations.

4. Heard Ms.Akila Rajendran, learned Government Counsel appearing for the official respondents, who would submit that, whether the said request made by the petitioners is possible for compliance or not can be decided by the District Collector and accordingly the said representation would be considered and orders would be passed on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the limited prayer sought for in this writ petition and taking into account the aforesaid facts as projected by the petitioners, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the respondents especially the first respondent / District Collector to consider the

representation of the petitioner dated 30.05.2016 and pass orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

KST

To

- 1 The Collector
Office of the Collector of Kancheepuram
District Kancheepuram District
- 2 The Revenue Development Officer
Chengalpet District
Chengalpet
- 3 The Thasildhar, Padur Village
Thiruporur,
Kancheepuram District
- 4 The Superintendent of Police
Kancheepuram District
Kancheepuram

+1cc to the Government Pleader, S.R.No.30393

W.P.No.37072 of 2016

PL(CO)
RGA(26/07/2021)