



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.17323 OF 2021

Annadurai

...Petitioner

Versus

The Tahsildar,
Madurantakam Taluk,
Chengalpattu District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondent herein to dispose within time frame the petitioner representation dated 22.06.2021 seeking patta for the petitioner in respect to Grama Natham House Site situated at Melakandai Village, Madurantakam Taluk, Chengalpattu District in Survey No.210/13 admeasuring to extent of 3 cents and Meikkal poramboke property at aforesaid village in Survey No.115/1B3 admeasuring to an extent of 10 cents.

For Petitioner : Mr.G.Magesh Kumar

For Respondent : Mr.Yogesh Kannadasan
Government Advocate

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondent herein to dispose of the petitioner's representation dated 22.06.2021.

2. The case of the petitioner is that the property situated at Grama Natham House site, Melakandai Village, Madurantakam Taluk, Chengalpatu District in Survey No.210/13 admeasuring an extent of 3 cents and Meikkal poramboke property at aforesaid village in Survey No.115/1B3, admeasuring to an extent of 10 cents belong to him and he is in possession of the said property. It is stated that the petitioner constructed a house therein and living with his family and he is paying house tax and also have separate electricity connection in his name. It is further submitted that he submitted a representation on 22.06.2021 to the RDO, Madurantakam and District Collector,



Chengalpattu, seeking patta for the above grama natham house site and Meikkal Poramboke. Since the said representation was not considered by the respondent, the petitioner filed this present writ petition.

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3. Learned counsel for the petitioner submitted that the petitioner is the owner and in possession of the aforesaid property. He further submitted that though the petitioner submitted a representation along with the house tax receipts on 22.06.2021, the same was not considered by the respondent till date.

4. Learned Government Advocate appearing for the respondents produced before this Court a letter of the respondent dated 14.09.2021. In the said letter it is stated that the lands situated at Survey No.115/1B3, belongs to Animal Husbandry Department and that patta cannot be granted to the petitioner in respect of his claim of 10 cents in Survey No.115/1B3. In so far as 3 cent of lands comprised in Survey No. 210/13 is concerned, it is stated in the letter that there is no construction as alleged by the petitioner in the said land. Hence, it is stated by the learned Government Advocate that the claim of the petitioner in granting patta for the 13 cents in the aforesaid property cannot be granted.

5. Considering the facts and circumstances of the case, this Court is of the view that since the lands in Survey No.115/1B3 belongs to Animal Husbandry Department, patta cannot be granted to the petitioner in respect of lands in Survey No.115/1B3, but the respondent may dispose the representation of the petitioner in respect of lands in Survey No.210/13 admeasuring to an extent of 3 cents and pass appropriate orders. Hence, this Court directs the respondent to consider the petitioner's representations dated 22.06.2021 in respect of 3 cent of land in Survey No.210/3 and pass appropriate orders 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.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

bkn



To

The Tahsildar,
Madurantakam Taluk,
Chengalpattu District.

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+1cc to the Government Pleader Sr.No.47180, 55055

W.P.No.17323 of 2021

PMK (CO)
RVM(11/02/2022)