



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.08.2021
CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.17779 of 2021

R.Rajarajan

... Petitioner

Versus

1. The District Collector,
Chennai District,
Rajaji Salai, Chennai - 600 001.
2. The Thasildar,
Taluk Office, Sholinganallur Taluk,
Sholinganallur, Chennai - 600 119.
3. N. Janarthana Reddy

...
Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pass a considered order on the application given by the petitioner on 17.07.2021 and consequential relief by way of direction directing the second respondent not to issue a patta in favour of the third respondent pertaining to property situated at Sunnambukulathur Village, Madipakkam-II, previously Tambaram Taluk, presently Sholinganallur Taluk, Kancheepuram District, comprised in S.No.401/7(Part), 401/8 (Part) measuring an extent of 1116 sq.ft., Patta No.18111.

For Petitioner	: Mr.T.Ramachandran
For RR 1 & 2	: Mr.Yogesh Kannadasan, Government Advocate.

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's application dated 17.07.2021 and consequential direction to the second respondent/Tahsildar not to issue a Patta in favour of the 3rd respondent pertaining to property situated at Sunnambukulathur Village, Madipakkam-II, previously Tambaram Taluk, presently Sholinganallur Taluk, Kancheepuram District, comprised in S.No.401/7(Part), 401/8 (Part) measuring an extent of 1116 sq.ft., Patta No.18111.

2. The case of the petitioner is that the property situated at Sunnambukulathur Village, Madipakkam-II, previously Tambaram Taluk, presently Sholinganallur Taluk,



Kancheepuram District, comprised in S.No.401/7(Part), 401/8 (Part), measuring an extent of 1116sqft., was purchased by his father late.Rajarithnam from (i) Mrs.G.Meena, (ii) Mr.G.Ravanan, (iii) Thalaikadu Estates registered Partnership Firm having office at Periyar Nagar, Madipakkam, Chennai-91, duly represented by a Power of Attorney Maxworth Home Limited, a public limited company, having a registered office at the first floor, No.610, Anna Salai, Chennai-600 006, represented by its authorised signatory Mr.O.Viswanathan, K.O.K.Oppilamani and the same was registered sale deed vide Doc.No.3234/1998, dated 26.10.1998 on the file of Sub Registrar Office, Pallavaram and was in possession and enjoyment of the same till his death. After the demise of his father on 06.02.2012, the petitioner, his mother viz., R.Amudavalli and his sister viz., R.Vijayalakshmi, inherited the property by way of legalheirship certificate issued by the Tahsildar of Alandur, dated 10.05.2014 and Joint Patta No.18111, dated 27.11.2020 was also granted in favour of them. In the meanwhile, the 3rd respondent who is claiming to be owner of part of the petition property based on the sale deed vide Doc.No.978/2004, dated 08.03.2004. Subsequently, the petitioner submitted a letter along with all Revenue Records to the 2nd respondent/Tahsildar. In spite of the above documents being submitted to the 2nd respondent, the 3rd respondent obtained a Patta in his name for the very same property by using influence. Though the representation was given on 09.03.2021, the 2nd respondent has not taken any effective steps. Therefore, the petitioner has filed W.P.No.8792 of 2021 and the same was dismissed as withdrawn by order dated 08.04.2021 with liberty to file a fresh representation before the concerned authority. Hence, The petitioner submitted a fresh representation before the 2nd respondent on 12.04.2021. Subsequently, the office of the District Collector by their letter dated 28.04.2021, directed the petitioner to submit a representation to the Chennai District Collector, Chennai and the same was sent to the respondents 1&2. Hence, the respondents 1&2 have not taken any steps on the petitioner's application dated 17.07.2021. Therefore, the petitioner has come forward with the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent to consider the petitioner's representation dated 17.07.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider



the petitioner's representation dated 17.07.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of six months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Chennai District, Rajaji Salai,
Chennai - 600 001.
2. The Thasildar,
Taluk Office, Sholinganallur Taluk,
Sholinganallur, Chennai - 600 119.

+1 cc to Government Pleader Sr.NO. 43065

W.P.No.17779 of 2021

VBM CO
A.SK(11.10.2021)