



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.19263 OF 2019

Bharat Mardia

... Petitioner

Versus

1. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.
2. The Thasildar,
Sriperumbudur Taluk,
Sriperumbudur - 602 105.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to dispose the petitioner's representation dated 23.07.2018 for grant of patta to the petitioner's property measuring comprised in Punjai S.No.30 Part, presently S.No.30/7, measuring NIL, acre 38.05 cents out of acre 3.74 cents i.e., 16,786 sq.ft., situated in Pondur Village, Sriperumbudur Taluk, Kancheepuram District, in the Registration District of Chengalpet, in the Registration Sub-District of Sriperumbudur within a time frame fixed by this Court.

For Petitioner : Mr.M.V.Seshachari
For C.Harini

For Respondents : Mr.K.M.D.Muhilan
Government Advocate

ORDER

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to dispose the petitioner's representation, dated 23.07.2018 for grant of patta to the petitioner's property measuring comprised in Punjai



Survey No.30 Part, presently Survey No.30/7, measuring NIL acre 38.05 cents out of acre 3.74 cents i.e., 16,786 sqft., situated in Pondur Village, Sriperumbudur Taluk, Kancheepuram District, in the Registration District of Chengalpet, on the file of Sub-Registrar Office, Sriperumbudur, within a time frame fixed by this Court.

2. According to the petitioner, he was purchased the property comprised in Survey No.30 Part, presently Survey No.30/7, measuring NIL acre 38.5 cents out of acre 3.74 cents, ie., 16786 sqft., situated in Pondur Village, Sriperumbudur Taluk, Kancheepuram District, from one B.Venkata Subbiah, represented by his Power of Attorney Agent namely Mr.Suresh Kumar Bafna, as per sale deed, dated 17.10.1995 vide Doc. No.6133 of 1995 on the file SRO, Sriperumbudur. Now, he is the absolute owner of the property since 1995 having absolute right, title and interest in respect of the same. Since the petitioner has been approached the 2nd respondent/Tahsildar, Sriperumbudur through his representatives and several letters for issuance of patta in respect of the aforesaid property in his favour and he has also submitted relevant documents such as, sale deed, parent documents, encumbrance certificate to the authorities, but the respondent officials have not taken any steps in this regard. In the meanwhile, the petitioner applied for mutation of revenue records before the respondent officials. After a few days, the petitioner was informed that his aforesaid properties have been acquired for SIPCOT Industrial Estate. Thereafter, despite several repeated demands under Right to Information Act, 2005, the respondents had failed to furnish the necessary details of acquisition proceedings in order to enable the petitioner to claim compensation amount. Hence, the petitioner sent a representation to the respondents requesting them for grant of patta in respect of the aforesaid property, but the respondents have not taken any steps in this regard. 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 Respondents to consider the petitioner's representation dated 23.07.2018 and dispose of the same within a stipulated time that may be fixed 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 23.07.2018 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. No costs.

WEB COPY

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msm

To

1. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.
2. The Tahsildar,
Sriperumbudur Taluk,
Sriperumbudur - 602 105.

+1cc to the Government Pleader, S.R.No.42703

W.P.NO.19263 OF 2019

BP(CO)
PBS/07/10/2021