



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.10.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.22085 of 2019

Mr. Abdul Kadhar,

... Petitioner

Vs.

1.The Collector,
Kancheepuram District,
Kancheepuram.

2. The Tasildhar,
Pallavaram Taluk,
Kancheepuram District.

3.The Revenue Inspector,
Pallavaram Taluk,
Kancheepuram District.

4. The Land Surveyor,
Pammal Kuruvadam,
Pallavaram Taluk,
Kancheepuram District.

5.The Village Administrative Officer,
Pammal,
Kancheepuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus or any other appropriate writ order of direction in the nature of such writ directing the 2nd respondent to implement the order of its proceedings vide Pa.Mu. No.1589/2017/A1 dated 02.03.2018 and consequently, issue patta in favour of the petitioner taking into consideration of the enquiry and recommendations submitted by the respondents 3 to 5 with respect to the Schedule of property and pass appropriate orders accordingly.



For Petitioner :: Mr.G. Arun
(For A. Yamuna)

For Respondents:: Mr.V. Veluchamy
(Government Advocate)

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O R D E R

The relief sought for in this Writ Petition is for a direction to the 2nd respondent to implement the order of its proceedings vide Pa.Mu. No.1589/2017/A1 dated 02.03.2018 and consequently, issue patta in favour of the petitioner taking into consideration of the enquiry and recommendations submitted by the respondents 3 to 5 with respect to the Schedule of property and pass appropriate orders accordingly.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the material available on records.

3. Having considered the facts and circumstances of the case and submissions made by the learned counsel on either side, it is seen that the subject property situated at Pammal Village, Saidapet Taluk, Chengai M.G.R. District, (Now Kancheepuram District) comprised in Old S.No.99/1 Part, New Survey No.93/3A1 ad-measuring 9801 Sq.Ft was purchased by way of Sale Certificate in E.P.No.48 of 2006 dated 10.03.2006 in O.A.No.420 of 2001 passed by the Hon'ble Presiding Officer Debts Recovery Tribunal-I, Chennai, under Section 19(22) of the recovery of debts due to banks and financial Institutions Act, 1993 and the same was registered in the name of the petitioner in Document No.6130/I2015 on the file of the SRO, Pammal. Ever since from the date of purchase, the petitioner is in possession and enjoyment of the same without any hindrance and encumbrance. While being so, the petitioner preferred a representation dated 21.07.2017 to the 1st respondent requesting to issue Patta in his name for the subject property. In pursuance of the said representation, enquiry was conducted and thereby an order of proceedings in Pa.Mu.No.1589/2017/A1 dated 02.03.2018 has been passed to issue Patta in the name of the petitioner after carrying out the necessary corrections. Even though there is a proceedings in Pa.Mu.No.1589/2017/A1 dated 02.03.2018 passed by the Tahsildar, Pallavaram, to issue Patta in the name of the petitioner after carrying out necessary correction as per the instructions mentioned in the said proceedings, the petitioner has not issued Patta so far. Hence, the 2nd respondent is directed to pass



appropriate orders as per the proceedings in Pa.Mu.1589/2017/A1 dated 02.03.2018 passed by the Tahsildar, Pallavaram within a period of four months from the date of receipt of copy of this order in accordance with law. It is made clear that this Court has not expressed any opinion with regard to the merits of the case.

4. With this observation, the Writ petition is disposed of. Consequently, connected miscellaneous petition is closed if any. No Costs.

Sd/-

Assistant Registrar(CJ conf)

// True Copy //

Sub Assistant Registrar

Lbm

To:

- 1.The Collector,
Kancheepuram District,
Kancheepuram.
2. The Tasildhar,
Pallavaram Taluk,
Kancheepuram District.
- 3.The Revenue Inspector,
Pallavaram Taluk,
Kancheepuram District.
4. The Land Surveyor,
Pammal Kuruvatam,
Pallavaram Taluk,
Kancheepuram District.
- 5.The Village Administrative Officer,
Pammal,
Kancheepuram District.

+1cc to the Government Pleader, SR.No.52820

W.P.No.22085 of 2019

CB(22/12/2021)