

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 5.1.2021

C O R A M

THE HON'BLE MR.JUSTICE S.SUNDAR

Writ Petition No.27710 of 2017

R. Kannan Adityan

...Petitioner

Vs

1. The Collector
Chennai District
Chennai 600 001.

2. The Tahsildar
Guindy Taluk
Chennai 600 032.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to consider the representation dated 16/8/2017 for grant of patta to an extent of 117 sq.ft in S.No.49/2 1 part in Crescent Park Road, Adyar, Chennai 600 020 on payment of necessary charge.

For petitioner	...	Mr.K.Mohanamurali
For respondents	...	Mr.P.Senthilvel
		Government Advocate

O R D E R

This writ petition is filed for the issuance of a writ of mandamus, directing the first respondent, to consider the representation of the petitioner, dated 16/8/2017, for grant of patta, to an extent of 117 sq.feet in S.No.49/2 1 part, in Crescent Park Road, Adyar, Chennai, on payment of necessary charges.

2. The petitioner in his representation submitted to the first respondent has stated that petitioner's grand father acquired the property from Madras Co-operative House Construction Society Ltd., several decades back and that the property was transferred in favour of the petitioner's grand father by a sale deed, dated 13/6/1978. It is further stated that the property was allotted to the petitioner after the demise of his grand father. Though the sale deed was in respect of an extent of 30 cents, it is contended by the petitioner that

his grand father and petitioner were in enjoyment of an extent of 117 sq.feet in S.No.49/2 1 part in Cresent Park Road, Adyar, Chennai in addition to the extent of 30 cents. Therefore, the petitioner made a request before the District Collector, to issue patta for the entire property, including 117 sq.feet in S.No.49/2 1 part in Cresent Park Road, Adyar, Chennai.

3. Learned counsel appearing for the petitioner would submit that representation that was sent by the first respondent is forwarded to the Tahsildar, Guindy Taluk, Chennai, viz., second respondent. Second respondent was required to submit a detailed report to the District Collector, Chennai.

4. Considering the limited scope of the prayer in the writ petition, this Court, without expressing any opinion, on the merits of the petitioner's representation, is inclined to issue the following direction.

Second respondent is directed to consider the representation of the petitioner, dated 16/8/2017, for the grant of patta, in respect of a small extent of 117 Sq.ft in S.No.49/2 1 part, in Cresent Park Road, Adyar, Chennai, on merits and in accordance with law, after making a spot inspection and measurement in the presence of the petitioner and other persons interested, within a period of twelve weeks, from the date of receipt of a copy of this order.

5. With the above direction, instant writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mvs

To

1. The Collector
Chennai District
Chennai 600 001.

2. The Tahsildar
Guindy Taluk
Chennai 600 032.

+1cc to Mr.K.Mohanamurali, Advocate, S.R.No.708
+1cc to the Government Pleader, S.R.No.533

W.P.No.27710 of 2017

ca (CO)
rv (02/02/2021)