



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.9515 of 2022

K.Kuganantham

...Petitioner

vs.

1. The State Rep. by
The District Collector,
Chengalpattu,
Chengalpattu District.

2. The Tahsildar,
Thiruporur Taluk,
Chengalpattu District.

3. Santhi

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to consider petitioner's representation dated on 28.09.2021 for issuing Patta in favour of petitioner in Mullipakkam Village, Tirupporur Taluk, Chengalpattu District comprised in gramamatham old S.No.207/3C an extent of 545 Sq.ft. within the time prescribed by this Hon'ble Court.

For Petitioner : Mr.K.Duraimurugan

For Respondents: Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition has been filed seeking for an issuance of a writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 28.09.2021 to issue Patta in favour of petitioner for his property comprised in old S.No.207/3C, of an extent of 545 Sq.ft. situated at Mullipakkam Village, Tirupporur Taluk, Chengalpattu District within the time frame to be fixed by this Court.

2.Since no adverse order has been passed against the private respondent notice to the private respondent is dispensed with.



3.The case of the petitioner is that he purchased the above said property of an extent of 545 Sq.ft. situated at said Village from one Arani and executed unregistered Sale Deed in favour of petitioner on 29.06.2014. Thereafter, petitioner is in possession and enjoyment of the said property. As the 3rd respondent was trying to encroach the petitioner's property, petitioner made a representation to the respondents 1 and 2 dated 28.09.2021 to issue patta in favour of the petitioner in respect of above said survey number. Since the respondents 1 and 2 have not acceded to the petitioner's representation, he has come up with the present Writ Petition seeking the aforesaid relief.

4.Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 28.09.2021 and pass orders on merits within a particular time frame to be fixed by this Court.

5.The learned Additional Government Pleader appearing for respondents 1 and 2 has no objection for said order being passed.

6.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7.Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the 2nd respondent to consider the said representation of the petitioner dated 28.09.2021 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the private respondent, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the 2nd respondent to decide the same at the time of disposing of the said representation purely on merits.

8.With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Chengalpattu,
Chengalpattu District.

2. The Tahsildar,
Thiruporur Taluk,
Chengalpattu District.

+1cc to Mr.K.Duraimurugan, Advocate, S.R.No.27860

+1cc to the Government Pleader, S.R.No.27523

W.P.No.9515 of 2022

SKM(CO)
RGA(19/05/2022)