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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.7345 of 2022

J.Ganesan

... Petitioner

Vs.

1. The Special Tahsildar,
Nila Udamai Membadu Thitttam,
Thirukazhukundram Taluk,
Chengalpattu District.

2. J.Devarajan
3. D.Vijayalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to measure survey Nos., Sub Division, Extent Hec- Acre- 126-1B3B- 0-1.00 acre, 127A-2A 0-22.00 acre, 127A-3A 0-8.00 acre, 127A-3B 0-14.00 acre, 127B-1B1 0-8.10 Acre in Narapakkam Village, Thirukazhukundram Taluk Chengalpattu District and fix the boundaries as per the revenue records.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 1st respondent to consider the application dated 18.11.2020 to cancel the Patta issued in favour of 3rd respondent pertaining to petition property and as a consequential relief by way of direction directing the 1st respondent not to issue a patta in favour of the 4th respondent measuring an extent of 1615 sq.ft. comprised in survey No179 plot No.4 4A and 5 situated at Madipakkam Village, Puzuthivakkam Eswaran Kovil Street Madipakkam Chennai 600 091.



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2. The learned Special Government Pleader takes notice for the official respondent. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed as against the private respondents, notice to the private respondents is dispensed with.

4. The case of the petitioner is that the petitioner is the owner of the property in survey Nos., Sub Division, Extent Hec-Acre- 126-1B3B- 0-1.00 acre, 127A-2A 0-22.00 acre, 127A-3A 0-8.00 acre, 127A-3B 0-14.00 acre, 127B-1B1 0-8.10 Acre in Narapakkam Village, Thirukazhukundram Taluk Chengalpattu District. The petitioner made a representation to the 1st respondent on 10.08.2021, to measure the petitioner's properties and for fixing boundaries. However, till date no orders have been passed. Hence, this Writ Petition is filed with the aforesaid prayer.

5. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the 1st respondent to consider petitioner's representation, dated 10.08.2021 and pass appropriate orders within a reasonable time that may be fixed by this Court.

6. The Special Government Pleader appearing on behalf of the official respondents submitted that the petitioner's application dated 10.08.2021 will be considered by the 1st respondent, within a time stipulated by this Court.

7. This Court, without going into the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 10.08.2021, in accordance with law, and pass appropriate orders, after providing an opportunity of hearing to the petitioner, to the private respondents and to the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



Psa

To

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The Special Tahsildar,
Nila Udamai Membadu Thitttam,
Thirukazhukundram Taluk,
Chengalpattu District.

+1cc to Mr.S.Baskaran, Advocate, S.R.No.21275

+1cc to the Government Pleader, S.R.No.22261

W.P. No.7345 of 2022

PMK[co]

NSK 12/04/2022