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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.6560 of 2022

P.Sabari Gireesh

... Petitioner

Vs.

1. The District Collector,
Chennai District.
2. The Revenue Divisional Officer,
North Chennai, Revenue Division,
No.473, Thiruvotriyur High Road,
Chennai 600 081.
3. The Tahsildar,
Purasawalkam-Perambur Taluk,
Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider the petitioner appeal dated 13.12.2021 and consequently issue patta in the name of the petitioner herein in respect of the land at old Door No.2/20, New door No.111, Dr.Ambedkar Salai, Mohana Mudalli Thottam, Vysarpadi, Chennai, Comprised in Old S.No.506/1 (part) as per the patta new S.No.506/15, having extent of 1480 of sq.ft.

For Petitioner : Mr.S.Rajakumar

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 2nd respondent herein to consider the petitioner's appeal dated 13.12.2021 and consequently issue patta in the name of the petitioner herein, in respect of the land at old Door No.2/20, New door No.111, Dr.Ambedkar Salai,



Mohana Mudalli Thottam, Vysarpadi, Chennai, Comprised in Old S.No.506/1 (part) as per the patta new S.No.506/15, having extent of 1480 of sq.ft.

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2. The case of the petitioner is that his father purchased a land having an extent of 2560 sq.ft., by way of Sale deed in document No.393/1976 dated 16.03.1976 registered on the file of Sub Registration office, Purasawalkam. From the aforesaid extent of land, the government acquired 1080 sq.ft. of land as per G.O.Ms.No.190/2008 leaving 1480 sq.ft of land. While so, the petitioner's father executed a Settlement deed settling the property to the petitioner and his brother on the file of Sub Registration office, Purasawalkam. Thereafter, the petitioner has made an online application before the 3rd respondent dated 25.01.2021, seeking to issue Patta for the balance land of about 1480 sq.ft. However, the 3rd respondent failed to dispose of the petitioner's representation. Therefore, the petitioner preferred a Writ Petition in W.P.No.16147 of 2021 before this Court, and this Court by its order dated 03.08.2021, issued a direction to the 3rd respondent/Tahsildar to consider the petitioner's representation to issue Patta. Pursuant to that order, the 3rd respondent/Tahsildar rejected the petitioner's application. Aggrieved by the same, the petitioner preferred an appeal dated 13.12.2021 before the 2nd respondent. However, till date, no order has been passed. Hence, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submits that, it would suffice, if this Court, issues direction to the 2nd respondent to consider the petitioner's appeal dated 13.12.2021 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the 2nd respondents to consider the petitioner's appeal dated 13.12.2021 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, after affording opportunity of hearing to the aggrieved person, if any.



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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

jd/nhs

To

1. The District Collector,
Chennai District.
2. The Revenue Divisional Officer,
North Chennai, Revenue Division,
No.473, Thiruvotriyur High Road,
Chennai 600 081.
3. The Tahsildar,
Purasawalkam-Perambur Taluk,
Chennai.

+1cc to Mr.S.Rajakumar, Advocate, S.R.No.19345
+1cc to the Government Pleader, S.R.No.19915

W.P. No.6560 of 2022

AJS[co]
NSK 08/04/2022