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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.5880 of 2022

J.Uma

... Petitioner

Vs.

1. The Tahsildhar,
Ambattur Taluk,
Ambattur, Chennai-600053.

2. B.Pushpalingam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 29.12.2020, and carryout the correction in the Patta, the total area of plot No.6 was wrongly mentioned as 2600 Sq.Ft. instead of 2850 Sq.Ft and issue fresh Patta for Plot No.6 in Old Suvey No.439/2, New Survey No.439/2A1, for the total extent of 2850 Sq.Ft, situated in Athipattu Village, Ambattur Taluk, Tiruvallur District.

For Petitioner : Mr.A.Kumar

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to the 1st respondent to consider the petitioner's representation dated 29.12.2020, and carryout the correction in the Patta, the total area of plot No.6 was wrongly mentioned as 2600 Sq.Ft. instead of 2850 Sq.Ft and issue fresh Patta for Plot No.6, in Old Suvey No.439/2, New Survey No.439/2A1, for the total extent of 2850 Sq.Ft, situated in Athipattu Village, Ambattur Taluk, Tiruvallur District.

2. The learned Government Advocate 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 respondent, notice to the private respondent is dispensed with.

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4. The case of the petitioner is that the petitioner is the owner of the property in Old Suvey No.439/2, New Survey No.439/2A1, for the total extent of 2850 Sq.Ft, situated in Athipattu Village, Ambattur Taluk, Tiruvallur District. The petitioner obtained Patta to an extent of 2600 Sq.ft instead of 2850 Sq.Ft and petitioner's plot boundaraies are wrongly mentioned in the Field Map by the Revenue Department. The remaining shortage of 250 Sq.Ft was wrongly added in 2nd respondent Plot No.5. After informing the same to the 2nd respondent, the 2nd respondent has given undertaking affidavit for changing the boundaries of petitioner's plot. Hence petitioner made application to the 1st respondent on 29.12.2020. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

5. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues a direction to the 1st respondent to consider the petitioner's representation dated 29.12.2020 and pass orders within the time frame that may be stipulated by this Court.

6. The learned Government Advocate appearing on behalf of the official respondent submitted that the petitioner's representation dated 29.12.2020, will be considered by the respondent within a reasonable time that may be fixed by this Court.

7. Without going into the merits of the case, the 1st respondent is directed to consider the petitioner's representation dated 29.12.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the 2nd respondent and 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(CCC)

//True Copy//

Sub Assistant Registrar



To

The Tahsildhar,
Ambattur Taluk,
Ambattur, Chennai-600053.

+1cc to Mr.A.Kumar, Advocate, S.R.No.17664

+1cc to the Special Government Pleader, S.R.No.18125

W.P. No.5880 of 2022

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NSK 30/03/2022