



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.6890 of 2022

D.Revathy

... Petitioner

Vs.

1.The District Collector,
Collector of Chennai,
Singaravelar Maligai 4th Floor,
Rajaji Salai,
Chennai-600 001.

2.The Tahsildar,
Aminjekarai Circle,
Shenoy Nagar, Chennai-600 030.

... 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's application for Patta dated 01.09.2021 in respect of Door No.12/4, Sannathi Street, of an extent of 1482 sq.ft. Comprised in Survey No.70/5 Part, Aminjekarai Village, Chennai-29 as expeditiously as possible within a time stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Balasubramanian

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 direct the 2nd respondent herein to consider the petitioner's application for Patta dated 01.09.2021 in respect of Door No.12/4, Sannathi Street, of an extent of 1482 sq.ft. Comprised in Survey No.70/5 Part, Aminjekarai Village, Chennai-29 as expeditiously as possible within a time stipulated by this Court.



2. The learned Government Advocate takes notice for the official respondents. 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.

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3. The case of the petitioner is that the petitioner is the owner of the property in Survey No.70/5 Part, to an extent of 1482 Sq.ft, situated at Aminjikarai Village, Chennai-29. The petitioner made representation to the 2nd respondent on 01.09.2021, for grant of Patta in respect of the said property. 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 2nd respondent to consider petitioner's representation, dated 01.09.2021 and pass appropriate orders within a reasonable time that may be fixed by this Court.

6. The Government Advocate appearing on behalf of the official respondents submitted that the petitioner's application dated 10.08.2021 has been rejected by the 2nd respondent, on 30.03.2022, on the ground that the said land stands in the name of Sri Ekambareswarar Swami Devasthanam. Hence, he prayed for dismissal of this petition.

7. This Court, by its order dated 24.03.2022, directed the 2nd respondent to issue Patta in favour of the petitioner, if it is otherwise in order, and if there is no rival claim made. In pursuant to the said order passed by this Court, the 2nd respondent rejected the petitioner's application on 30.03.2022, on the ground that the said land is classified as "Circar Poramboke" in the Town Survey Land Records and in the Adangal Column, and the said land also registered in the name of Sri Ekambareswarar Swami Devasthanam. Hence, the prayer sought for in this petition cannot be granted.

8. With the above observation, this Writ Petition is disposed of. No costs. However, liberty is granted to the petitioner to work out his own remedy in the manner known to law.

Sd/-

Assistant Registrar(CS-V)

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Sub Assistant Registrar



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Chennai-600 001.

2.The Tahsildar,
Aminjikarai Circle,
Shenoy Nagar, Chennai-600 030.

+lcc to Mr.M.Balasubramanian, Advocate SR.No.21545
+lcc to the Government Pleader, SR.No.22206

W.P. No.6890 of 2022

PMK (CO)
CB (13/04/2022)