

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8372 of 2022

M.Dhamotharan

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Tiruvallur 602 001,
Thiruvallur District.
2. The District Revenue Officer,
Office of the Collectorate,
Tiruvallur 602 001.
Thiruvallur District.
3. The Revenue Divisional Officer,
Taluk Office Road, Ponneri,
Ponneri Taluk, Thiruvallur.
4. The Tahsildar,
Ponneri Taluk,
Ponneri 601 204.
Thiruvallur District.

... Respondents

PRAYER: This Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus to direct the 4th Respondent to grant Joint Patta for the pathway in the names of the Petitioner and other named persons for the properties comprised in Punjai Survey Nos. 31/4E Part, 32/3B1 Part, 32/3B2 Part, 33/5 Part and 35/2 Part based on the registered Document No.3097 of 2020 on the file of Sub-Registrar Redhills as requested in the Online Application No.2021/01/03/01/239793 dated 03.12.2021.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

Order

This petition has been filed for issuance of writ of Mandamus to direct the 4th Respondent to grant Joint Patta for the pathway in the names of the Petitioner and other named persons for the above said properties.

2. The case of the petitioner is that the petitioner is a permanent resident of the Athur Village and he along with seven others own agricultural lands in the said Village. It is alleged by the petitioner that they have no access or pathway to reach their respective lands and therefore, in order to resolve the said issue, the said persons including the petitioner entered into an agreement to lay a common pathway to reach the lands of the respective parties and thereafter, executed agreement dated 20.02.2020. By virtue of the said registered Agreement, the petitioner and the seven persons have become the absolute joint owners of the property and applied for a joint patta, however the respondents have not taken any action on the said application. Hence, the petitioner is constrained to approach this Court by filing this petition.

3. When the matter is taken up for hearing, the learned Additional Government Pleader appearing for the official respondents submitted that the application of the petitioner was rejected on 29.12.2021, on the ground, that the petitioner has not annexed the power of attorney.

4. In view of the above, since the order was passed on the application of the petitioner, no further orders are necessary in this petition. Accordingly, this Writ Petition is closed. However liberty is granted to the petitioner to workout the remedy in the manner known to law.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Office of the Collectorate,
Tiruvallur 602 001,
Thiruvallur District.
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Ponneri Taluk, Thiruvallur.
4. The Tahsildar,
Ponneri Taluk,
Ponneri 601 204.
Thiruvallur District.

+1cc to the Government Pleader, S.R.No.24287

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GPL(CO)
SU(21/04/2022)