



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MRS.JUSTICE N.MALA

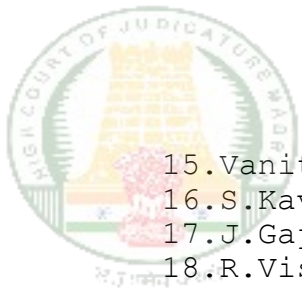
W.P.No.14545 of 2022

Santhosh

..Petitioner

vs

1. The Collector,
Chennai District, The Collector Office,
Singaravelan Maliga, Rajaji Salai,
Chennai 600 001.
2. The Tahsildar,
The Perambur Tahsildar Office,
Perambur, Chennai 600 011.
3. The Revenue Divisional Officer,
Chennai District, The Collector Office,
Singaravelan Maligai, Rajaji Salai,
Chennai 600 011.
4. The Surveyor,
The Perambur Tahsildar Office,
Perambur, Chennai 600 011.
5. The Secretary to Government,
The Revenue Department,
Fort St. George, Chennai 600 009.
6. The Principal Secretary to Government,
Commissionerate of Land Administration Dept.,
Fort St. George, Chennai 600 009.
7. M.Janarthanam
8. M.Rangadas
9. M.Sampath
- 10.J.Venkataprasad
- 11.R.Surendrababu
- 12.R.Magendharababu
- 13.S.M.Prabhu
- 14.Asha Priya



15.Vanitha Lakshmi
16.S.Kavitha
17.J.Gajalakshmi
18.R.Visalakshi

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.03.2022 to remove the encroachers.

For the Petitioner : Mr.S.Rajithkumar

For the Respondents : Mr.J.Ravindran,
Addl. Adv. General
assisted by Mr.A.Selvendran,
Spl.G.P. for RR 1 to 6

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The writ petition has been filed to seek a direction for consideration of the representation dated 15.03.2022 of the petitioner. It is for issuance of patta for which a writ petition was earlier preferred by one R.Krishnan, where a direction was given to consider the representation of the petitioner therein, vide order dated 12.10.2004 in W.P.No.29473 of 2004. The representation by R.Krishnan was for allotment of land. Consideration of the representation was not made and therefore, the petitioner has preferred this writ petition to espouse the same cause.

2.It could not be clarified as to why the cause taken up by R.Krishnan in the year 2004 is now being espoused after a lapse of almost 18 years. The document on record otherwise shows grant in favour of R.Krishnan.

3.In view of the above and without disclosing the right of the petitioner, a prayer for allotment of land has been made. The petitioner has not even shown his right in reference to the land of R.Krishnan. Therefore, for the reason aforesaid, we do not find any ground to direct the respondents to consider the representation of the petitioner.

4.The writ petitions are generally filed to seek a direction for consideration of the representation and at times, the Court issues the direction to the respondents for consideration of the representation without addressing even the merit.The practice to direct consideration of the representation without addressing the merit has been deprecated by the Apex Court.



5. In view of the above, we are not inclined to issue the direction of the nature sought by the petitioner as he has failed to show his right on the land in question so as to claim patta or a grant.

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The writ petition, accordingly, fails and is dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To:

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+1cc to the Government Pleader, S.R.No.34559, 34879

W.P.No.14545 of 2022

RK(CO)

RGA(17/06/2022)