



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9343 of 2022

L.Arunkumar

... Petitioner

Vs.

1. The District Collector,
Kancheepuram,
Kancheepuram District.

2. The Tahsildar,
Walajabad Taluk Office,
Kancheepuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation dated 10.03.2022 to issue patta in favour of the petitioner herein pertaining to the property at Door No.250, Maligapuram, Thenneri Village, Walajabad Taluk, Kancheepuram District measuring to an extent of 2180 sq.ft of vacant land comprising in Part of old survey No.247/2 and New Survey No.247/7 of Thenneri Village, Walajabad Taluk, Kancheepuram District.

For Petitioner : Mr.N.Sudharsan

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of of Mandamus to direct the respondents to consider the representation dated 10.03.2022 to issue patta in favour of the petitioner herein pertaining to the property at Door No.250, Maligapuram, Thenneri Village, Walajabad Taluk, Kancheepuram District measuring to an extent of 2180 sq.ft of vacant land comprising in Part of old survey No.247/2 and New Survey No.247/7 of Thenneri Village, Walajabad Taluk, Kancheepuram District.



2. The case of the petitioner is that the aforesaid property originally belongs to one Mr.R.Munusamy and he purchased the aforesaid property from one Kantheni vide Document No.1577 of 1990. Thereafter, the said R.Munusamy alienated the aforesaid property in favour of the petitioner, vide Document No.1858 of 2002 dated 24.01.2002. Further, the petitioner had obtained electricity service connection and paid the necessary house tax service charge. While so, the petitioner has made a representation dated 10.03.2022 before the first and second respondents, seeking to issue Patta in the name of the petitioner. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. Though very grounds have been raised, learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the second respondent/Tahsildar to consider the petitioner's representation dated 10.03.2022 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents submitted that, he received instructions from the second respondent/Tahsildar, Walajabad, to show that the petitioner is not residing in the aforesaid property and he has constructed building in the aforesaid land for commercial purposes. Hence, granting Patta to the petitioner is not permissible.

5. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader for the respondents and perused the materials available on record.

6. In view of the fair submission made by the learned counsels, this Court is inclined to grant permission to the petitioner to send a copy of the representation and documents of the aforesaid property purchased in the year 2002 along with the order copy, within a period of two weeks, and thereafter the second respondent/Tahsildar will consider and pass appropriate orders on the said representation on merits and in accordance with law, within a period of six weeks.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

jd/rap

Sub Assistant Registrar



To

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The Tahsildar,
Walajabad Taluk Office,
Kancheepuram District.

+1cc to Mr.N.Sudharsan, Advocate, S.R.No.26485

+1cc to the Government Pleader, S.R.No.27322 (03/06/2022)

W.P.No.9343 of 2022

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