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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10203 of 2022

K.R.Illavarasi

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Singaravellar Maligai,
Chennai -1.

2. The Thasildar,
Aminjikarai Taluk,
Thiru.Vi.Ka.Park,
Shenoy Nagar,
Chennai - 600 030.

3. S.Usha

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 28.09.2021 and dispose of the same within a time frame.

For Petitioner : Mr.K.Venkateswaran

For R1 and R2 : Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 28.09.2021 and dispose of the same within a time frame.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents 1 and 2. In view of the limited relief sought for in this petition, on the consent expressed by



the learned counsel appearing for either side, this petition is taken up for final disposal. Since no adverse order is passed against the third respondent, notice to the third respondent is dispensed with.

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3. The learned counsel for the petitioner would submit that the property in Survey No.109 Sub Division No.2, corresponding Old Survey No.6/1, situated in Selva Vinayagar Koil Street to an extent of 0.00.16.0 is used as a common passage. However, inadvertently, the joint patta was issued in respect of the alleged common passage in favour of one Khader Mohideen Sahib and one S.Usha. To cancel the said patta, the petitioner made a representation dated 28.09.2021 to the second respondent. However, till date no order has been passed on the same. Hence, this present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the second respondent to consider the representation of the petitioner dated 28.09.2021 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Additional Government Pleader has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent to consider the representation of the petitioner dated 28.09.2021 and after affording an opportunity of hearing to the petitioner and the third respondent herein, pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar

True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Chennai District,
Singaravellar Maligai,
Chennai -1.

2. The Thasildar,
Aminjikarai Taluk,
Thiru.Vi.Ka.Park,
Shenoy Nagar, Chennai - 600 030.

+1cc to Mr.K.Venkateswaran, Advocate, S.R.No.28739

W.P. No.10203 of 2022

SKM[co]
NSK/17/05/2022