



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.11897 of 2022

B.Prakash Jain

..... Petitioner

Vs.

The Thahsildar,
Egmore Taluk,
No.88, Mayor Ramanathan Salai,
Chetpet, Chennai District.

.....Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ in the nature of Writ of Mandamus or any other appropriate Writ or Order or Direction, to the respondent to dispose of the Application of the petitioner dated 09.07.2019 seeking cancellation of Patta CA No.726/2002, standing in the name of Mr. L.Ramesh Kumar and issue fresh Patta in the name of the petitioner for an extent of 192 S1.Ft., comprised in survey No.35/17 forming part of Nungambakkam Village, within a time frame fixed by this Hon'ble Court.

For Petitioner	: M/s.Sashidhar Sivakumar
For Respondents	: Ms. Akila Rajendran, Government Advocate.

ORDER

The present petition has been filed seeking a direction to the Respondent to dispose of the representation dated 09.07.2019 seeking cancellation of patta, within the time that may be stipulated by this Court.

2. Ms. Akila Rajendran, learned Government Advocate takes notice for respondents.

3. It is the case of the petitioner that he is the absolute owner of the subject property, out of which property, the petitioner had applied for issuance of Patta with revenue authorities with respect to the 328 sq.ft., land comprised in Survey No.35/14 (136 sq.ft) and in Survey No.35/17(192 sq.ft), pursuant to which, Patta was granted in his name with respect to the property comprised in Survey No.35/14, however, no patta



was granted in respect of the remaining portion of the property comprised in Survey No.35/17. Further, Patta with respect to property comprised in Survey No.35/17 has been wrongly granted by the revenue authorities in favour of one L.Ramesh Kumar, who is the adjacent land owner of the petitioner's property. Therefore, the petitioner made a representation dated 09.07.2019 seeking cancellation of said patta to the revenue authorities. However, till date, the same has not been considered. Hence, the present petition has been filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the Respondent to consider the representation made by the petitioner and dispose of the same on merits within the time that may be stipulated by this Court.

5. On the above contention, heard the learned Government Advocate appearing for the respondent.

6. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the Respondent/Tahsildar to consider the representation dated 09.07.2019 made by the petitioner and dispose of the same in accordance with law, after providing an opportunity to the petitioner and aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

NHS

To

The Tahsildar,
Egmore Taluk,
No.88, Mayor Ramanathan Salai,
Chetpet, Chennai District.

+1cc to Mr.Sasidhar Sivakumar, Advocate SR.No.32426

+1cc to the Government Pleader SR.No.33690

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SKM(CO)

GN(01/07/2022)