



WEB COPY



W.P.No.1283 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.No.1283 of 2018**

A.Suryanarayan

... Petitioner

Vs.

1.The District Collector,  
Thiruvallur District,  
Thiruvallur – 602 001.

2.The District Revenue Officer,  
Thiruvallur District,  
Thiruvallur – 602 001.

3.The Revenue Divisional Officer,  
Thiruvallur District.

4.The Tahsildar,  
Avadi Taluk,  
Avadi, Chennai – 600 054.

... Respondents

**PRAYER:** This Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus to direct the 4<sup>th</sup> respondent to grant patta to the petitioner as made in the petitioner's representation letter dated 13.07.2017 in Survey No.410 of Thandurai Village, Avadi Taluk, Thiruvallur District.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.G.Krishnaraja  
Additional Government Pleader

**ORDER**



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This petition has been filed for issuance of writ of Mandamus to direct the fourth respondent to grant patta to the petitioner based on his representation dated 13.07.2017 in Survey No.410 of Thandurai Village, Avadi Taluk, Thiruvallur District.

2. The case of the petitioner is that the petitioner is the owner of the lands situated at Survey No.410 of Thandurai Village, Avadi Taluk, Thiruvallur District. The lands stood in the name of his grandmother Sundaramma among other lands. The District Collector, Chengalpet had requisitioned the property on 31.08.1944 for military purpose and subsequently, in the year 1953, the lands in survey Nos.412, 387 and 401 were released from such acquisition, however, by mistakenly omitted the survey No.410 alone in the notification. However, the property continued to be in the possession of Sundaramma. After her death, the property was bequeathed to the petitioner. The respondents' herein had refused to mutate the records and to grant patta and treated the land as 'Poramboke'. Hence, the petitioner made a representation dated 13.07.2017 to the first respondent seeking to handover the property in S.No.410 of Thandurai Village, Avadi Taluk, Thiruvallur District and grant patta in favour of the petitioner. Since there was no response, the petitioner is before this Court.



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3. The learned Additional Government Pleader appearing for the respondents submitted that already petitioner's representation was considered by the fourth respondent/Tahsildar. The fourth respondent had forwarded a report dated 06.04.2018 to the second and third respondents for rejection of the petitioner's request on the ground that the land in S.No.410 of Thandurai Village, Avadi was classified as “Water Poramboke” and the Tahsildar has no power to grant patta for the said land.

4. The learned counsel for the petitioner submitted that though the rejection order was forwarded by the Tahsildar to other officials, the said order was not communicated to the petitioner. Hence, this Court may issue a direction to the Tahsildar to pass orders on the petitioner's representation dated 13.07.2017 in the manner known to law.

5. This Court has carefully considered the rival submissions and also perused the materials placed before it.

6. Considering the facts and circumstances of the case, the order dated 06.04.2018 produced by the Government is only an interim communication between the officials and till date, petitioner's application was



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not considered. In view of the limited prayer sought for by the petitioner, this

WEB COURT without expressing any opinion on the merits of the case, directs the fourth respondent/Tahsildar to consider the representation of the petitioner dated 13.07.2017 on merits and in accordance with law and pass appropriate orders and communicate the same to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

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

**14.06.2022**

Index : Yes/No  
Internet : Yes/No  
Speaking / Non speaking order  
rsi



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**M.DHANDAPANI, J.**

rsi

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