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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.12610 OF 2014

AND

M.P.NO.1 OF 2015

R.Sekar

... Petitioner

.Vs.

1. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
"Thalamuthu - Natarajan Maligai",
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2. The Tahsildar,
Chennai Metropolitan Development Authority,
Koyambedu Wholesale Market Complex,
Chennai - 600 10.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the representation of the petitioner, dated 02.04.2014, seeking issuance of the patta for the Plot No.25, Block No.5 (LIG), Seevagasinthamani Street, NH 3, Maraimalai Nagar.

For Petitioner : M/s.Sangavi

For Respondents : Mrs.P.Veena Suresh
For R1

Standing Counsel
For R1

Mr.Yogesh Kannadasan
Special Government Pleader
For R2



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 02.04.2014 seeking issuance of the patta for Plot No.25, Block No.5 (LIG), Seevagasinthamani Street, NH 3, Maraimalai Nagar.

2. The case of the petitioner is that the petitioner has been residing in the subject premises since 1982 and he made representation dated 02.04.2014 seeking issuance of the patta to the second respondent, however, the said representation has not yet been considered. Hence, this writ petition.

3. Ms.Sangavi, learned counsel appeared on behalf of the petitioner and submitted that the learned counsel on record for the petitioner passed away during the pendency of this writ petition. She further submitted that this Court may issue direction to the second respondent to consider the representation of the petitioner dated 02.04.2014, in the light of G.O.Ms.No.34, Revenue (LD1(2) Department dated 23.01.2008 and to pass appropriate orders within a reasonable time frame.

4. The learned Standing Counsel appearing for the first respondent submitted that the petitioner encroached the land belonging to the first respondent and vehemently opposed for this Court granting the relief sought for by the petitioner.

5. The learned Special Government Pleader appearing for the second respondent submitted that the petitioner's representation would be disposed of in the manner known to law after providing opportunity to the first respondent.

6. Considering the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 02.04.2014, on merits and in accordance with law and in the light of G.O.Ms.No.34, Revenue (LD1(2) Department dated 23.01.2008, and after affording opportunity of hearing to the first respondent shall pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
"Thalamuthu - Natarajan Maligai",
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Tahsildar,
Chennai Metropolitan Development Authority,
Koyambedu Wholesale Market Complex,
Chennai - 600 10.

+1cc to M/s.P.Veena Suresh, Advocate, S.R.No.27619
+1cc to the Government Pleader, S.R.No.28003

W.P.NO.12610 OF 2014 AND
M.P.NO.1 OF 2015

AK-II(CO)
PBS/23/05/2022