



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :11.02.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9041 of 2016

V.Vedavalli

... Petitioner

Vs.

- 1.The Secretary to Government,
Ministry of Urban and Housing Development,
Fort St.George,
Chennai-01.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
3. The District Collector,
Coimbatore District.
4. The Tahsildar,
Kalapatti Village, Coimbatore.
5. The Inspector General of Registration,
Santhome High Road,
Santhome, Mylapore,
Chennai - 600 028.
6. The Commissioner,
Coimbatore Corporation, Coimbatore.
7. The Commissioner of Police,
Coimbatore District.
8. K.Jothimani.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent to grant patta on the petitioner's property situated at Kalapatti Village, Coimbatore Taluk, comprised in S.No.311/2 (Part) within the Sub-Registration District of Gandhipuram, Coimbatore measuring to an extent of 1 Ground within the stipulated period of time fixed by this Court.



WEB COPY

For Petitioner : Mr. S.Thiruvengadam

For Respondents : Mr.A.Anandan
Govt. Advocate for R1 to 4

: Mr.Yogesh Kannadasan
Special Govt. Pleader for R5

: Mr.K.Magesh
Govt. Advocate for R6

: No appearance for R7 & 8

O R D E R

The petitioner has filed this writ petition seeking for issuance of Writ of Mandamus to direct the 4th respondent to consider the petitioner's representation and grant patta in her favour as early as possible.

2. The case of the petitioner is that she is the owner of the property measuring to an extent of one ground at Kalapatti Village, Coimbatore Taluk, comprised in S.No.311/2 (Part), which was purchased from the 8th respondent. Subsequent to her purchase, she applied for patta to the Coimbatore Corporation, to mutate the Revenue Records in her favour. On 05.06.2014, the Assistant Commissioner, informed the petitioner that the above said property is reserved for public purpose. In such circumstances, the petitioner made an application to the Public Information Officer and the Assistant Commissioner, Coimbatore Corporation, under the RTI Act, as to whether the disputed land has been given to Corporation by way of Gift Deed. During March, 2013, the petitioner was informed by the Public Information Officer, East Zone, Coimbatore Corporation that they have not received any layout or approval in DTCP No.1397/ 89 and also the approval was granted by the Executive Officer in DTCP No.390/1993/A2 dated 23.06.1993. Therefore, the petitioner made a representation to the Tahsildar for obtaining patta and the same has not been considered by the 4th respondent. Hence, the present writ petition.

3. Though very many grounds have been raised, the learned counsel for the petitioner submitted that the petitioner is being the owner of the property, her representation has not been considered by the 4th respondent. Therefore, he prays that it would suffice if this Court permits the petitioner to make a fresh representation and consequential direction to the 4th respondent to consider the petitioner's fresh representation and



pass orders on the same within the stipulated time fixed by this Court.

4. The learned counsel appearing for the 6th respondent/ the Commissioner submitted that the disputed property is earmarked for public purpose and therefore, no patta can be granted in favour of the petitioner. Hence, he prayed for dismissal of the petition.

5. In view of the aforesaid submissions, the petitioner claims that she is the owner of the property as per the registered sale deed vide Document No.10830/ 2011, dated 26.12.2011 on the file of Sub Registrar Office, Gandhipuram, Coimbatore. Considering the limited scope of the prayer sought by the petitioner, this Court permits the petitioner to make a fresh representation before the 4th respondent/ Tahsildar within a period of four weeks from the date of receipt of a copy of this order. On receipt of such fresh representation, the same shall be considered by the 4th respondent and pass appropriate orders, on merits and in accordance with law after hearing the 6th respondent as expeditiously as possible.

6. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

gba
To

- 1.The Secretary to Government,
Ministry of Urban and Housing Development,
Fort St.George,
Chennai-01.
2. The Member Secretary,
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Thalamuthu Natarajan Building,
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3. The District Collector,
Coimbatore District.



4. The Tahsildar,
Kalapatti Village, Coimbatore.

5. The Inspector General of Registration,
Santhome High Road,
Santhome, Mylapore,
Chennai - 600 028.

6. The Commissioner,
Coimbatore Corporation, Coimbatore.

7. The Commissioner of Police,
Coimbatore District.

+1 cc to Mr.S.Thiruvengadam, Advocate Sr.NO.9111

+1 cc to Mr.K.Magesh, Advocate Sr.NO.8853

+1 cc to Government Pleader Sr.NO. 9534

W.P.No.9041 of 2016

SV(CO)

A.SK(09/03/2022)