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W.P.No.30649 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.30649 of 2022
and W.M.P.No.30092 of 2022

K.Asokan

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Kanchipuram Town and Taluk,
Kanchipuram District 631 501.
- 2.The District Revenue Officer,
O/o. The District Revenue Office,
Collectorate of Kanchipuram,
Kanchipuram Town & Taluk,
Kanchipuram District – 631 501.
- 3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Sriperumpudhur Town and Taluk,
Kanchipuram District – 602 105.
- 4.The Tahsildar,
O/o. The Tahsildar,
Kundrathur Town & Taluk,
Kanchipuram District – 600 069.
- 5.The Revnue Inspector,
O/o.The Revenue Inspector,
149, Serapanancherry Revenue Firka,
Kundrathur Taluk, Kanchipuram District – 601 301.



W.P.No.30649 of 2022

6.The Village Administrative Officer,
O/o. The Village Administrative Officer,
149, Serapanancherry Revenue Firka,
Kundrathur Taluk,
Kanchipuram District – 601 301.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1 to 4 respondents herein to consider the petitioner's last common representation dated 22.10.2022 for issuing patta on the petitioner's name in respect of more than 10 decades continuous possession and enjoyment of his housing properties of the lands under the classification of Grama Natham comprising in old Survey No.33/1A, and New Survey No.33/14 measuring about total extent of 15485 square feet in No.149 Serpananchery Revenue Village & Post, Kundrathur Taluk, Kanchipuram District within the Sub Registration District of SRO, Padappai and Registration District of Sout Chennai, after cancelled the 41 free assignment housing pattas vide the proceedings in Na.Ka.No.2730/2021/A1, dated 08.09.2021 issued by the Tahsildar of Kundrathur Town and Taluk, Kanchipuram District, 4th respondent herein with in a reasonable time fixed by this Court.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondent : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the 1 to 4 respondents herein to consider the petitioner's last common representation dated 22.10.2022 for issuance of patta in favour of the petitioner, with in a reasonable time fixed by this Court.



W.P.No.30649 of 2022

2.The case of the petitioner is that the above said properties originally belongs to the petitioner's grandfather. After the demise of the petitioner's grandfather and father, the petitioner and his brothers were in enjoyment of the aforesaid property along with their mother. While so, the petitioner's mother executed Settlement Deed in favour of the petitioner and his two brothers registered as Doc.Nos.1506 & 5868 of 2010, 5864 & 5902 of 2011 and 9446 of 2014 on various dated respectively, before the SRO, Padappai. Based on the above said Settlement Deeds, the petitioner along with his two brothers sent common representations dated 22.10.2022 to the respondents. However, till date the same was not considered. Hence, the present Writ Petition.

4.Learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's common representation dated 22.10.2022 for issuance of patta and pass orders on the same within a particular time frame fixed by this Court.

5.Mr.U.Bharanidharan, the learned Government Advocate appearing for the respondents submits that if any direction is given by this Court, the same will be complied with.



W.P.No.30649 of 2022

WEB COPY

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's common representation dated 22.10.2022, on merits and in accordance with law and pass appropriate orders after affording an opportunity of hearing to the petitioner and third parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition is accordingly disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

18.11.2022

Index : Yes / No
Speaking order : Yes / No
gba

To

1. The District Collector,
O/o. The District Collector,
Kanchipuram Town and Taluk,
Kanchipuram District 631 501.
2. The District Revenue Officer,
O/o. The District Revenue Office,
Collectorate of Kanchipuram,
Kanchipuram Town & Taluk,
Kanchipuram District – 631 501.

3. The Revenue Divisional Officer,

<https://www.mhc.tn.gov.in/judis>



W.P.No.30649 of 2022

O/o. The Revenue Divisional Office,
Sriperumpudhur Town and Taluk,
Kanchipuram District – 631 501.

4.The Tahsildar,
O/o. The Tahsildar,
Kundrathur Town & Taluk,
Kanchipuram District – 600 069.

M.DHANDAPANI, J.

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W.P.No.30649 of 2022



WEB COPY



W.P.No.30649 of 2022

18.11.2022