



WEB COPY



W.P.No.30276 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.30276 of 2022

Mohammed Rafi

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Jaya Nagar,
Tiruvallur District.

2.The Tahsildar,
Taluk Office,
NGO Nagar Extension,
Ponneri,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent authorities to survey the petitioner land bearing Plot No.165, comprised in S.No.348/3, situated in No.143, Athipattu Village, Athipattu Village Panchayat, Minjur Panchayat Union, within the limits of Sub-Registration Office, Tiruvottiyur and Registration District of North-Chennai and grant Patta to the petitioner considering the representation of the petitioner dated 13.10.2022.



W.P.No.30276 of 2022

For Petitioner : Mr.J.Ashok
For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

The petitioners have filed this writ petition for issuance of Writ of Mandamus directing the respondent authorities to survey the petitioner land bearing Plot No.165, comprised in S.No.348/3, situated in No.143, Athipattu Village, Athipattu Village Panchayat, Minjur Panchayat Union, within the limits of Sub-Registration Office, Tiruvottiyur and Registration District of North-Chennai and grant Patta to the petitioner considering the representation of the petitioner dated 13.10.2022.

2. with the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the vacant land measuring an extent of 2400 sq.ft. bearing Plot No.165, comprised in S.No.348/3, situated in



W.P.No.30276 of 2022

No.143, Athipattu Village, Athipattu Village Panchayat, Minjur Panchayat

Union forming part of the larger extent in acres was aggregated to create a lay out. The lay out was formed in the name of Ponkovil Nagar by plotting out the larger extent. This being so, the lands comprised in S.No.348/3 and some other lands in the aforesaid Ponkovil Nagar was originally owned by one Appasamy and after his demise, his legal heirs viz., Srinivasan and Gopalan had given power of attorney in favour of one Gopalakrishnan. Thereafter, the said Gopalakrishnan had conveyed the Plot bearing No.165 to one Bilal in two sale deeds dated 10.09.1998 each half ground i.e., 1200 sq.ft vide registered Doc.No.2988 and 2989 of 1998 dated 11.09.1998.

3.1. Thereafter, the petitioner has purchased the aforesaid Plot No.165, clubbing two separate 1200 sq.ft. under one sale deed dated 27.04.2012 from one S.A.Bayrose, who is a power agent of S.A.Bilal. In order to develop the subject property, the petitioner made an online application dated 01.08.2022 for issuance of patta, however, the second respondent rejected the said application on the ground that the petitioner's Plot No.165 is comprised in S.No.346/3 and not in S.No.348/3. Therefore, the petitioner made a



W.P.No.30276 of 2022

representation dated 13.10.2022 to survey the Plot No.165, comprised in S.No.348/3 and measure the land, however, till date, no action was taken.

Hence, this writ petition.

4. Learned counsel for the petitioners submits that it would suffice, if this Court issues direction to the second respondent to consider the petitioner's representation dated 13.10.2022 and pass appropriate orders within a time frame that may be fixed by this Court.

5. Learned Additional Government Pleader appearing for the respondents has no objection for the said direction being passed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Considering the facts and circumstances, this Court without going into the merits of the case, directs the second respondent to consider the



W.P.No.30276 of 2022

petitioner's representation dated 13.10.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2022

vm

Index : Yes/No

Speaking Order : Yes/No

To:

1.The District Collector,
District Collectorate,
Jaya Nagar,
Tiruvallur District.

2.The Tahsildar,
Taluk Office,

Page No.5 of 7



W.P.No.30276 of 2022

NGO Nagar Extension,
Ponneri,
Tiruvallur District.

WEB COPY

M.DHANDAPANI,J.

vm

W.P.No.30276 of 2022



WEB COPY



W.P.No.30276 of 2022

15.11.2022