



W.P.No.32143 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

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

W.P.No.32143 of 2022

R.Karunanithi

...Petitioner

Vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.
3. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to survey the land in S.No.340/1, Plot No.15, KGS Nagar, No.143, Athipattu Village, Ponneri Taluk, Thiruvallur District of an extent of 1200 sq.ft., and to issue patta in the name of petitioner.

For Petitioner : M/s.T.Gnana Banu



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For Respondents : Mr.U.Baranidharan, AGP

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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to survey the subject land and consequently issue patta in favour of the petitioner.

2. Mr.U.Baranidharan, learned Additional Government Pleader takes notice for the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that he has purchased the property comprised in S.No.340/1 situated at Athipattu Village from one Lakshmi, vide registered Sale deed dated 14.05.2007 bearing Doc.No.5622 of 2007 and pursuant to which, he is in absolute possession and enjoyment of the said property. While so, the petitioner made several representations before the revenue officials seeking issuance of patta in his favour in respect of the subject property, however, without conducting enquiry and affording opportunity to the petitioner, the 3rd respondent, vide proceeding dated



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23.09.2022 mechanically sent a reply to the petitioner stating that as there is no boundary stone in the subject property, no patta can be issued in favour of the petitioner. However, it is to be pointed out that, already the petitioner made a representation before the 3rd respondent seeking to survey the subject land and to issue patta in his favour and has also paid the necessary fees for surveying the subject land on 18.11.2022, however, till date, the same was not considered. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the respondents to consider the petitioner's representations and consequently, survey the subject land and issue patta in his favour as expeditiously as possible.

5. Learned Additional Government Pleader has no serious objection for the said order being passed and he fairly conceded that appropriate orders will be passed on the petitioner's representation within the time stipulated by this Court.



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6. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, issues direction to the petitioner to send a copy of the representation/application seeking to survey the subject land and the receipt showing the necessary fees being paid by the petitioner for surveying the land along with the copy of this order to the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of the said representation/application, the 3rd respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of eight weeks thereafter, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. Accordingly, this Writ petition is disposed of. No costs.

01.12.2022

skt

Speaking Order : Yes/ No

Index : Yes/ No

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To

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M.DHANDAPANI, J.

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