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W.P.No.32192 of 2022

I N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32192 of 2022

Gangabai

... Petitioner

Vs.

1.The District Collector,
Tiruvallur District, Tiruvallur.

3.The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 2 to issue patta in petitioner's name pertaining to the property situate at Kannapalayam Village, measuring an extent of 5.2 Cents, comprised in S.No.148, Poonamalle Taluk, Tiruvallur District within the Sub-Registration District of Poonamallee and in the Registration District of Tiruvallur and to consider the petitioner's representation dated 22.10.2022.

For Petitioner : Mr.V.Viswanathan

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 2 to issue patta in petitioner's name pertaining to the property situate at Kannapalayam Village, measuring an extent of 52 Cents, comprised in S.No.148, Poonamalle Taluk, Tiruvallur District within the Sub-Registration District of Poonamallee and in the Registration District of Tiruvallur and to consider the petitioner's representation dated 22.10.2022.

2.The case of the petitioner is that, the above said property originally belongs to the petitioner's husband. While so, the petitioner's husband died intestate on 04.06.2007 leaving behind the petitioner and two daughters as the legal heirs to succeed over his property. The petitioner was also given an enjoyment certificate by the Village Administrative Officer, Melapakkam on 29.08.2019. While that being so, without the knowledge of the petitioner, the said property was classified as vacant land into canal. Thereafter, the petitioner gave representation dated 22.10.2022 to the respondents to issue patta in favour of the petitioner to the above said property. However, till



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date the same has not been considered and hence, the petitioner has filed this Writ Petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner is in occupation of the land in S.No.148, Poonamalle Taluk, Tiruvallur, measuring an extent of 52 Cents. For assignment of patta, the petitioner made a representation dated 22.10.2022 and the same was not considered till date. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 22.10.2022 and pass orders on the same within a particular time frame fixed by this Court.

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

5.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents to consider the



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petitioner's representation dated 22.10.2022, if the land is unobjectionable land, in terms of Section 15 of the Revenue Standing Orders, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition is disposed of. No costs.

30.11.2022

gba

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.The District Collector,
Tiruvallur District, Tiruvallur.

3.The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

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M.DHANDAPANI, J.

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