



WEB COPY



W.P.No.33084 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33084 of 2022

R.Check Madar @ Abdul Mazid

.... Petitioner

-Vs-

1.The District Collector
Office of the District Collector
Cuddalore District,
New Collectorate Building
Manjakuppam
Cuddalore 607 001

2.The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Cuddalore Taluk, Sub Jail Road
Manjakuppam, Cuddalore 607 001.

3.The Tahsildar
Office of the Tahsildar
Cuddalore Taluk, Beach Road
Cuddalore 607 001.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner representation dated 28.09.2022 and reminder dated 10.10.2022 for issuance of individual patta to an extent of 615.5 sq.mtrs. covering in Old Survey No.1767/5 of present T.S.No.1352 Ward No.7 Block No.19 Manjakuppam Village Cuddalore Cuddalore District and the entire Field



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Measurement Book covering all the Town Survey Nos.1344/2 1345/2 and 1352 within a time frame fixed by this Honourable Court.

For Petitioner : Mr.G.Krishna Kumar
For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner representation dated 28.09.2022 and reminder dated 10.10.2022 for issuance of individual patta to an extent of 615.5 sq.mtrs. covering in Old Survey No.1767/5 of present T.S.No.1352 Ward No.7 Block No.19 Manjakuppam Village Cuddalore Cuddalore District and the entire Field Measurement Book covering all the Town Survey Nos.1344/2 1345/2 and 1352 within a time frame fixed by this Honourable Court.

2. In respect of some properties claimed to be belonging to the petitioner in S.No.1767/5, Manjakuppam Village, Cuddalore, Cuddalore District, it is the grievance of the petitioner that, even though patta was given regarding these properties, particularly one survey number has been left out. In order to add that survey number in the patta already been issued or to issue a separate patta for the said left out survey number, the petitioner claimed that even though he approached the respondents including the 3rd respondent, they have not acted upon especially the 3rd respondent, who is the competent authority to act upon.



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Therefore, the petitioner has approached this Court by filing the present writ petition.

3. In this regard, though the learned counsel for the petitioner submits that though the representation has been given to both the 2nd and 3rd respondents, none of them have acted upon and that is why the petitioner has preferred the present writ petition.

4. Heard learned Additional Government Pleader who submits that, since the 3rd respondent is the competent authority to decide the plea of the petitioner, let the representation be given to the 3rd respondent and the same would be considered by the said authority on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. In that view of the matter, having regard to the submissions made by the learned counsel for both sides, especially the stand taken by the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with the following order.



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R. SURESH KUMAR, J.

KST

“ That there shall be a direction to the 3rd respondent to consider the representation of the petitioner dated 10.10.2022 and pass orders thereon on merits and in accordance with law after giving an opportunity of being heard to the petitioner within a period of six weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.

09.12.2022

Index : Yes/No
Internet : Yes/No
KST

To

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