



WEB COPY



W.P.No.2475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 2475 of 2023

Soundarapandiyan

.. Petitioner

Versus

The Tahsildar
Thiruporur Taluk
Chengalpattu District – 603 110

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to consider petitioner representation dated 13.04.2022 for issuance of patta in petitioner favour in respect of the land comprised in S.No.99/1C2B1 measuring to an extent of 33 cents situated at Muttakkadu Village, Thiruporur Taluk, Chengalpattu District.

For Petitioner	: Mr.C.Raghavan
For Respondent	: Mr.R.P.Murugan Raja Government Advocate

ORDER

This Petition has been filed seeking to direct the respondent to consider petitioner representation dated 13.04.2022 for issuance of patta in petitioner favour in respect of the land comprised in S.No.99/1C2B1 measuring to an



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extent of 33 cents situated at Muttakkadu Village, Thiruporur Taluk,
Chengalpattu District.

2. On the earlier occasion, the present petitioner filed a Writ Petition in W.P.No.24466 of 2017 seeking to consider the petitioner's representation for the issuance of patta in respect of subject property. This Court vide Order dated 12.09.2017 directed the concerned Tahsildar to consider the representation and pass orders.

3. According to the learned counsel for the petitioner, since the petitioner has not met the officials, no patta has been granted. Hence, the petitioner has once again filed the present writ petition seeking to consider the representation of the petitioner dated 13.04.2022 for issuance of patta to the subject property. Further, he would submit that the petitioner's father was cultivating the land for more than 30 years and has executed a settlement deed in favour of the petitioner vide Doc.No.6210 of 2010 dated 27.08.2010. On that strength, the petitioner seeks patta for the subject property.



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4. The learned Government Advocate submitted that one Pankajam was the real owner and the patta is granted in her favour. The petitioner has filed a Bare Injunction Suit before the District Munsif, Chengalpattu in O.S.No.177 of 2011 and had obtained a decree.

5. Heard both sides and perused the materials placed on record. It is relevant to note that merely, because a permanent injunction is granted in favour of the petitioner, the same will not give right to claim a title. The title has to be decided independently. Admittedly, the patta stands in the name of one Pankajam, this Court cannot give a blanket direction to issue patta in favor of the petitioner.

6. If at all, the petitioner wants to establish his title, let him file a suit for declaration and consequential relief in accordance with law. Accordingly, this writ petition stands dismissed. No costs.

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Index : Yes / No

Speaking Order : Yes / No

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Neutral Citation : Yes/No

N.SATHISH KUMAR, J.

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To

The Tahsildar
Thiruporur Taluk
Chengalpattu District – 603 110

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