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W.P.No.966 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.966 of 2023

1. Mr.L.Seshamani
2. Mr.S.Prashanath

Represented by their Power of Attorney
Mr.B.Raghavendhra

... Petitioners

-Vs-

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street, New Kumaran Nagar,
Sholinganallur, Chennai – 600 091.

2. The Commissioner,
Commissionerate of Urban Land Ceiling and Urban Land
Tax Department,
Chepauk, Chennai – 600 005.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to grant patta in the name of the petitioners with respect to their property comprised in Survey 174/2 part Paimash No.402 to 416 bearing plot no.70, forming part of DTCP approved layout No.163/74 measuring 306/2400 sq.ft undivided share of land together with Flat No.D in first floor measuring 510 sq.ft Madipakkam Village,



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Sholinganallur Taluk, Kancheepuram District without insisting on a No Objection Certificate from the 2nd respondent in accordance with the judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the judgment in W.A.Nos.975 to 978 of 2015.

For Petitioner : Mr.Kaushik N.Sharma

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to grant patta in the name of the petitioners with respect to their property comprised in Survey 174/2 part Paimash No.402 to 416 bearing plot no.70, forming part of DTCP approved layout No.163/74 measuring 306/2400 sq.ft undivided share of land together with Flat No.D in first floor measuring 510 sq.ft Madipakkam Village, Sholinganallur Taluk, Kancheepuram District without insisting on a No Objection Certificate from the 2nd respondent in accordance with the judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the judgment in W.A.Nos.975 to 978 of 2015.

2. In order to get patta for the property of the petitioners as claimed by them at Flat No.D in first floor measuring 510 sq.ft at Madipakkam Village, Sholinganallur Taluk, Kancheepuram District, they have given



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an application on 21.12.2022 to the first respondent and in order to consider the same, the petitioners have moved the present writ petition.

3. Heard Mr.Kaushik N.Sharma, learned counsel appearing for the petitioners and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents.

4. Learned Additional Government Pleader appearing for the respondents would submit that, since the petitioner has made an application only on 21.12.2022, not even one month period is over, however the petitioner has filed this writ petition. Therefore, atleast a breathing time must be given to the first respondent to consider the application of the petitioners and to decide the same on merits, which would be considered in accordance with law within a time frame reasonably to be fixed by this Court, he contended.

5. Considering the limited scope of the prayer sought for in this writ petition and having taken note of the said stand taken by the learned Additional Government Pleader appearing for the respondents, this Court



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is inclined to dispose of this writ petition with the following order:

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That there shall be a direction to the first respondent to consider the application of the petitioner dated 21.12.2022 and pass necessary orders thereon on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

12.01.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No

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To

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street, New Kumaran Nagar,
Sholinganallur, Chennai – 600 091.
2. The Commissioner,
Commissionerate of Urban Land Ceiling and Urban Land
Tax Department,
Chepauk, Chennai – 600 005.

R. SURESH KUMAR, J.
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