



W.P.No.5292 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.5292 of 2023

M.Bhuvana

... Petitioner

Vs

The State rep. By

1.The District Collector,
District Collector Office,
Chengalpattu,
Chengalpattu District.

2.The Tahsildar,
Pallavaram Taluk Office,
Pallavaram, Chennai – 600 043.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to dispose of the petitioner representation dated 21.10.2022 to issue proper patta in the petitioner name (M.Bhuvana) comprised in Survey No.146/1 and 167/2 a CMDA Approved site bearing No.6173/2018 “Highways Co-Op-Society Layout” in Zamin Pallavaram Village, Alandur Taluk now Pallavaram Taluk, Kancheepuram District now Chengalpattu District, in Patta No.3926, thereabouts 600 sq.ft.

For Petitioner : Mr.K.Jayakumar

For Respondents : Mr.P.Sathish
Additional Government Pleader



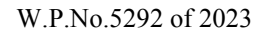
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ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to dispose of the petitioner's representation dated 21.10.2022 to issue proper patta in the name of the petitioner comprised in Survey No.146/1 and 167/2 a CMDA Approved site bearing No.6173/2018 “Highways Co-Op-Society Layout” in Zamin Pallavaram Village, Alandur Taluk now Pallavaram Taluk, Kancheepuram District now Chengalpattu District, in Patta No.3926, thereabouts 600 sq.ft.

2. The petitioner claimed that, he has purchased a plot in Survey No. 146/1 and 167/2 to the extent of 2475 sq.ft. from the housing society and it has been duly registered with the Sub Registrar Office as Document No.2010/ 2019.

3. However, when a patta was applied, patta was given only for 1875 sq.ft. the reason being, according to the Revenue Department, is that the remaining land to the extent of 600 sq.ft. is a Government poramboke land but the fact remains that the entire land belong to the Society, therefore they plotted out by way of layout and from which only the petitioner since has purchased, the stand taken by the Revenue Department may not be



4. However, Mr.P.Sathish, learned Additional Government Pleader
the respondents would submit that, if it is a stand of the Revenue
Department that the remaining land 600 sq.ft. out of the 2475 sq.ft. said to
been purchased by the petitioner knowing as a Government poramboke
that has to be enquired and thereafter based on the available
documents, which are available with the Revenue Department as well as the
document to be supplied by the petitioner, orders would be passed thereon
merits and in accordance with law within a time frame that may be
determined by this Court.

5. Considering the said submission made by the learned counsel for both sides, this Court is inclined to dispose of this writ petition with the following orders:



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There shall be a direction to the 2nd respondent to conduct enquiry in respect of the land which has been purchased by the petitioner by taking into account the representation given by the petitioner dated 21.10.2022 and pass necessary orders thereon on the plea of the petitioner to get patta for the full extent of 2475 sq.ft. if the claim of the petitioner is accepted, otherwise it is for the Revenue Department to take a decision on merits and in accordance with law, but anyhow needful as indicated above shall be undertaken by the 2nd respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

23.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To



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R.SURESH KUMAR, J.

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