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Writ Petition No.6904 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.6904 of 2023

Alamelu

... Petitioner

-Vs-

1. The Revenue Divisional Officer,
Central Chennai Division,
Chennai – 600 101.

2. The Tahsildar,
Ambattur Taluk,
Chennai - 600 053.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to issue patta in favour of the petitioner for her property situated at Padi Village in Survey No.51/4 to an extent of 1335 sq.ft vacant land, Saidapet Taluk, which is presently situated in Ward No.1, Block No.13,T.S.No.17/0, Plot No.9, Balaji Nagar in Sub-Registration District Anna Nagar, Registration District of Central Chennai.

For Petitioner : Mr.M.Velmurugan

For Respondents : Ms.Akila Rajendran
Government Advocate



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ORDER

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The prayer sought for herein is for a writ of mandamus directing the respondents to issue patta in favour of the petitioner for her property situated at Padi Village in Survey No.51/4 to an extent of 1335 sq.ft vacant land, Saidapet Taluk, which is presently situated in Ward No.1, Block No.13,T.S.No.17/0, Plot No.9, Balaji Nagar in Sub-Registration District Anna Nagar, Registration District of Central Chennai.

2. In respect of the property situated at Ward No.1, Block No.13,T.S.No.17/0, Plot No.9, Balaji Nagar in Sub-Registration District Anna Nagar, Registration District of Central Chennai, the petitioner though already made an application for getting patta, which has been considered by the Tahsildar and he has issued some proceedings also, however the same has not been executed, therefore the petitioner wanted to execute the said order passed by the Tahsildar has moved the present writ petition.

3. Though such a prayer is sought for herein, learned counsel appearing for the petitioner would submit that the petitioner is ready and



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willing to make a fresh application to the Tahsildar concerned seeking patta for the land in question and the second respondent Tahsildar may consider the said application and after hearing the petitioner, pass orders thereon on merits and in accordance with law and to that extent, if a direction is given by this Court that would be suffice, learned counsel for petitioner contended.

4. Heard Ms.Akila Rajendran, learned Government Advocate appearing for the respondents, who would submit that, if at all the petitioner wants to give a fresh application to the second respondent unmindful of the earlier proceedings issued in this regard by the second respondent seeking patta for the land in question, it is for him to make such application and once such application is filed that would be considered by the second respondent Tahsildar on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned counsel appearing for both sides, this Court is inclined to dispose of this writ



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petition with the following order:

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That it is open to the petitioner to make a fresh application to the second respondent Tahsildar seeking patta for the land in question and on receipt of the said application, the second respondent Tahsildar shall consider the same and pass necessary orders thereon on merits and in accordance with law within a period of six (6) weeks from the date of receipt of such fresh application.

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

03.03.2023

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

To

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R. SURESH KUMAR, J.
mp

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