



W.P.No.421 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.421 of 2023

M.Kasi

.... Petitioner

-Vs-

1.The District Collector
Chengalpet.
2.The Tahsildar
Vandalur Taluk
Vandalur, Chengalpet District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent with regard to issuance of Patta bearing S.No.63/4, extent of 0.16.0 hectares (44 cents) situated at Pudupakkam Village, Vandalur Taluk, Chengalpet District by considering the representation dated 10.10.2022.

For Petitioner : Mr.R.Chandrasekaran
For Respondents : Mrs.N.Senthil Selvi
Government Advocate

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent with regard to issuance of Patta bearing S.No.63/4, extent of 0.16.0 hectares (44 cents) situated at Pudupakkam Village, Vandalur Taluk, Chengalpet District by considering the representation dated 10.10.2022.



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2. In respect of the land at Survey No.63/4 to the extent of 0.16.0 hectares (44 cents) situated at Pudupakkam Village, Vandalur Taluk, Chengalpet District, it is the claim of the petitioner that the property in question has been in the possession and enjoyment of the petitioner's forefathers and parents as well as the petitioner presently.

3. Though it is a Government Poramboke land, since it has been in the possession and enjoyment of the petitioner as agricultural lands, they have been carrying out agricultural activities for several decades. Since the petitioner wanted to have patta for the said land, he made a representation to the respondents dated 10.10.2022 and in order to consider the same, the petitioner has moved the present writ petition.

4. Heard Mr.R.Chandrasekaran learned counsel for the petitioner and Mrs.N.Senthil Selvi, learned Government Advocate appearing for the respondents.

5. Learned Government Advocate would submit that, since the land in question admittedly is a Government Poramboke land, as a matter of right the petitioner cannot seek for patta, however long period he claims to have been in



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possession and enjoyment of the property, but at the same time, since the petitioner had given a representation on 10.10.2022 seeking patta, the same would be considered by the 1st respondent / District Collector and decided on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Considering the limited scope of the prayer, where the representation of the petitioner dated 10.10.2022 has to be considered by the 1st respondent and decided on merits and in accordance with law, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the 1st respondent to consider the representation of the petitioner dated 10.10.2022 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

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

09.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
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R. SURESH KUMAR, J.

KST

To

- 1.The District Collector
Chengalpet.
- 2.The Tahsildar
Vandalur Taluk
Vandalur, Chengalpet District.

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