



WEB COPY



W.P.No.551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.551 of 2023

Mr.M.P.Angappan

... Petitioner

-Vs-

1. The District Collector,
Chengalpattu District,
Chengalpattu.

2. The Tahsildar,
Tambaram Taluk,
Chengalpattu District.

3. Mr.L.Ganesan

4. Mr.S.P.Raja

5. Mrs.K.Tamilselvi

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the representation dated 18.07.2022 of the petitioner within time frame fixed by this Court and direct the first respondent to remove the name of the fifth respondent and to issue patta in the name of the Mrs.Vasanthi Chandrasekar for Plot No.2 measuring an extent of 2147 sq.ft in S.No.271/1 and 278/4 in Burma Nagar Housing Plots Layout, situated at Selaiyur Village, then Saidapet Taluk, now Tambaram Taluk, Chengalpattu District.



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For Petitioner : Mr. R.Sankarakutralingam
For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1 & R2]

ORDER

The prayer sought for herein is for a writ of mandamus directing the first respondent to consider the representation dated 18.07.2022 of the petitioner within a time frame fixed by this Court and direct the first respondent to remove the name of the fifth respondent and to issue patta in the name of the Mrs.Vasanthi Chandrasekar for Plot No.2 measuring an extent of 2147 sq.ft in S.No.271/1 and 278/4 in Burma Nagar Housing Plots Layout, situated at Selaiyur Village, then Saidapet Taluk, now Tambaram Taluk, Chengalpattu District.

2. As against the order passed by the second respondent Tahsildar, the petitioner had given representation by way of appeal to the first respondent District Collector on 18.07.2022 with regard to the cancellation of the patta, which stood in the name of the petitioner in respect of the property in question. However, since no orders have been passed by the first respondent on the said appeal/representation given by the petitioner, he has moved the present writ petition.



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3. When the writ petition is taken up for hearing Mr.P.Sathish, learned Additional Government Pleader appearing for the first and second respondents would submit that pursuant to the said representation/appeal given by the petitioner on 18.07.2022, the first respondent District Collector has completed the enquiry, within a span of time necessary orders would be passed on merits.

4. In view of the order going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

5. In view of the said submission made by the learned Additional Government Pleader appearing for the official respondents, since the petitioner's representation/appeal having been taken into consideration and enquiry was conducted by giving the opportunity of being heard to the petitioner as well as the private respondent and after ensuring the same, the first respondent can very well pass orders on merits and in accordance with law.



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6. Therefore the following directions are issued to the first respondent:

The first respondent is directed to pass orders on the appeal/representation given by the petitioner on 18.07.2022 on merits and in accordance with law within a period of four(4) weeks from the date of receipt of a copy of this order.

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

10.01.2023

Index : Yes/No
Speaking order: Yes/No

mp

To

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. The Tahsildar,
Tambaram Taluk,
Chengalpattu District.



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R. SURESH KUMAR, J.

mp

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