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W.P.No.689 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.689 of 2024

S.Radhakrishnan

... Petitioner

Versus

- 1.The District Collector,
Rajaji Salai, 4th Floor,
62, Beach Road, George Town,
Chennai.
- 2.The Revenue Divisional Officer,
Chennai Central, Ambattur, Chennai.
- 3.The Tahsildar,
Ayanavram, Chennai.
- 4.The Commissioner,
Corporation of Chennai,
Rippon Building, Poonamallee High Road,
Chennai – 600 003.
- 5.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation,
No.36B, Pulla Avenue, Shenoy Nagar,
Chennai – 600030.
- 6.The Executive Engineer,
Zone-VI, Greater Chennai Corporation,
No.158, Strahans Road, Pattalam,
Chennai – 600 012.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 13.11.2023 and issue patta for the property admeasuring 1200 Sq.ft. now situated at Door No.2, Venkat Nagar, School Road, Kolathur, Chennai – 600099.

For Petitioner : Mr. R. Rajarajan

For Respondents : Mr. R.Vigneshwaran (for R1 to R3)
Government Advocate

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 13.11.2023 and to issue patta for the property ad-measuring 1200 Sq.ft. now situated at Door No.2, Venkat Nagar, School Road, Kolathur, Chennai – 600099.

2. It is the claim of the petitioner that he purchased the property from one Mr. Ananda Rao and he had produced the tax receipt issued under the Urban Land Tax, claiming that he is the owner of the property.

The Urban Land Tax Authorities had also received the tax amount for a



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while from the petitioner and issued receipt in that regard. The Revenue Authorities did not notify about the allotment of new survey number and inspection or measurement as conducted recently for the couple of years by the Revenue Authorities to reclassify the land. It is the main contention of the petitioner that the property purchased by the petitioner did not encroach by the Government for any public purpose. Hence, the petitioner submitted his detailed representation dated 13.11.2023 and requested the authorities to grant Patta in favour of him. But, till date the same was kept pending. Hence, the Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the official respondents and perused the materials available on record.

4. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the third respondent to consider the petitioner's representation dated 13.11.2023, if the petitioner is otherwise



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eligible and conduct enquiry in a manner known to law, after issuing notice and giving opportunity of hearing to the petitioner, adjacent land owners of four boundaries of the subject property and interested parties/rival claimants/objectors if any, as the case may be and pass orders on merits and in accordance with law. The said exercise shall be completed within a period of five months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

11.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

klt

To:



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P. VELMURUGAN, J.

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