



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4402 of 2024

Tamim Ansari

... Petitioner

Vs.

1. The District Collector

Chennai District Collector Office

Rajaji Salai, Fourth Floor, No.62

Beach Road, George Town

Chennai – 600 001

2. The District Revenue Officer

Chennai District

Singaravelar Maligai

George Town, Chennai – 600 001

3. The Revenue Divisional Officer

Chennai South

(Near the Tamil Nadu Dr.MGR Medical University)

Anna Salai,

Guindy

Chennai – 600 032



4. The Tahsildar
Mylapore Taluk
Greenways Road
Chennai – 600 028

5. Mohammed Ramal
6. Jainulabdeen
7. M.Imam Shariff

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to cancel the Patta issued in favour of the respondents 5 to 7 in relation to the petition schedule mentioned property based on the representation of the petitioner dated 16.08.2015 issued to the 2nd respondent which was directed to the 3rd respondent dated 08.10.2016 vide communication Na.Ka.No.O2/20849/2016, who further directed the 4th respondent for passing appropriate orders vide communication bearing Aa1/36/2016, dated 08.10.2016 and consequently direct the 4th respondent to issue Patta in favour of the petitioner in relation to the petition schedule mentioned property based on the application of the petitioner bearing No.13302087901874, dated 12.12.2022.

For Petitioner : Mr.Abhinav Parthasarathy

For R1 to R4 : Mr.T.Arun Kumar
Additional Government Pleader

**ORDER**

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This Writ Petition is filed seeking a Writ of Mandamus directing the 3rd respondent to cancel the Patta issued in favour of the respondents 5 to 7 in relation to the petition schedule mentioned property based on the representation of the petitioner dated 16.08.2015 issued to the 2nd respondent which was directed to the 3rd respondent dated 08.10.2016 vide communication Na.Ka.No.O2/20849/2016, who further directed the 4th respondent for passing appropriate orders vide communication bearing Aa1/36/2016, dated 08.10.2016 and consequently direct the 4th respondent to issue Patta in favour of the petitioner in relation to the petition schedule mentioned property based on the application of the petitioner bearing No.13302087901874, dated 12.12.2022.

2. The learned counsel for the petitioner submitted that it would suffice if a direction is issued to the official respondents to consider the petitioners application dated 12.12.2022 within a stipulated time as may be fixed by this Court.



3. Mr.T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents 1 to 4. Since no adverse order is being passed against the respondents 5 to 7, notice to the respondents 5 to 7 is dispensed with.

4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's application, this Court without expressing any opinion with regard to the merits of the case, directs the official respondents to consider the petitioner's application dated 12.12.2022 and issue notice to the petitioner, respondents 5 to 7 herein, adjacent land owners of the four boundaries of the subject property and also to the rival claimants/interested parties/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.



W.P. No.4402 of 2

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

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22.02.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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W.P. No.4402 of 2

P.VELMURUGAN. J.

Ksa-2

W.P. No.4402 of 2024

22.02.2024