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WP.No.11874 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11874 of 2024

K.Rajendran

.. Petitioner

Versus

1.The District Collector
Chennai District

2.The Revenue Divisional Officer
Guindy-South Chennai
Chennai District

3.The Tahsildar
Sholinganallur Taluk
Chennai District

4.M/s.Jain Housing
Rep by its Partner Mr.Sandeep Mehta
No.98/99, Habibullah Road
Near Pasumpon Devar Kalyana Mandapam
T.Nagar, Chennai – 600 017

5.M/s.Jains Pebble Brook Flat Owners Association
Rep by its Secretary
Phase-1, Madha Koil Street, Sakthi Garden
Okkiyampet, Thoraipakkam
Chennai – 600 097

6. M/s.Pebble Brook Resident Welfare Association
Rep by its Secretary
Phase-2, Madha Koil Street, Sakthi Garden



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Okkiyampet, Thoraipakkam
Chennai – 600 097

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7.R.Menon
8.C.Jose Ukkur
9.Atul S.Shah
10.S.Narayanan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to cancel the patta No.7020, 54 and 84, comprised in Survey No.397, for the entire extent of 4.66 acre in Survey No.397 to in favour of the respondents 4 and 7 property situated at Okkiyam Thoraipakkam Village, Sholinganallur Taluk, Chennai District based on the representation dated 12.01.2024.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.P.Sathish for R1 to R3
Additional Government Pleader

ORDER

This writ petition is filed for a direction to the 2nd respondent to cancel the patta No.7020, 54 and 84, comprised in Survey No.397, for the entire extent of 4.66 acre in Survey No.397 to in favour of the respondents 4 and 7 property situated at Okkiyam Thoraipakkam Village, Sholinganallur Taluk, Chennai District based on the representation dated 12.01.2024.



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2. It is the case of the petitioner that the petitioner and his brother are the absolute owner of the subject property, however, the third respondent has issued patta in favour of the respondents 4 and 7. Therefore, the petitioner has given a representation to the respondents 2 and 3 seeking to cancel the patta, which is pending without consideration till date. Hence, this writ petition.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.

4. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

5. Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case directs the second respondent to consider the representation of the petitioner dated 12.01.2024 with regard to cancellation of patta and pass appropriate orders on merits and in accordance with law, after giving notice to the private respondents and any other interested persons. Such exercise shall be completed within a period of two months from the date of receipt of copy of this order.



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N. SATHISH KUMAR, J.

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

30.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1.The District Collector
Chennai District

2.The Revenue Divisional Officer
Guindy-South Chennai
Chennai District

3.The Tahsildar
Sholinganallur Taluk
Chennai District

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