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W.P.No.14599 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 02-04-2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.14599 of 2023

Sushila Nagar Residents Welfare Association...

Petitioner

-VS-

1.The District Collector,
Chengalpet District,
Chengalpet.

2.The Block Development Officer,
St.Thomas Mount Panchayat Union,
Chitalapakkam, Chengalpet District,
Chengalpet.

3.The Tahsildar,
Chengalpet District,
Chengalpet.

4.S.Dhanraj

5.The Tahsildar,
Tambaram,
Chitlapakkam,
Tambaram West,
Tambaram Taluk,
Chennai – 600 045.

...

Respondents

Writ Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents to consider the representation, dated 03.04.2023, to cancel the patta sent by the petitioner.



For Petitioner : Mr.Kishore Balasubramanian

For Respondents 1,3 & 5 : Mr.P.Gurunathan,
Addl.Govt.Pleader.

For Respondent 2 : Mr.S.Prabhakaran

For Respondent 4 : Ms.R.Divya Preathika

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to cancel the patta presented by the petitioner.

2. The contention of the petitioner association is that they are using the pathway for more than 20 years, in respect of which patta has been granted, and, therefore, they have given a representation, dated 03.04.2023, to first and third respondents, but the same has not been considered.

3. Learned counsel for fourth respondent would submit that a Civil Suit was filed by the petitioner in respect of the same property in O.S.No.917 of 2010 on the file of District Munsif, Alandur, and the same got dismissed.

4. The factum of dismissal of the Civil Suit filed by the petitioner is not disputed by the learned counsel for the petitioner.



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5. In such view of the matter, mere direction to the authorities to consider the representation will not serve any purpose since the rights of the parties have to be decided only in the Civil Suit.

6. Writ Petition is, therefore, dismissed. No costs. Consequently, the connected W.M.P.No.18351 of 2023 is closed.

02-04-2024

Index : Yes/No
Internet : Yes/No
dixit

To

- 1.The District Collector,
Chengalpet District,
Chengalpet.
- 2.The Block Development Officer,
St.Thomas Mount Panchayat Union,
Chitalapakkam, Chengalpet District,
Chengalpet.
- 3.The Tahsildar,
Chengalpet District,
Chengalpet.



4.The Tahsildar,
Tambaram,
Chitlapakkam,
Tambaram West,
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5/5



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N.SATHISH KUMAR, J.

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