



WEB COPY



W.P.No.30859 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.30859 of 2024

and

WMP.No.33680 of 2024

M/s. Ish Insula Private Limited,
Represented by Executive Director,
M.Subhathra

...Petitioner

Vs.

1. The Tahsildar,
Taluk Office, Old GST Road,
Inside RTO Campus (Near Government Hospital),
Chengalpet District.
2. The Inspector of Police,
H3, Police Station, Maraimalai Nagar,
Chengalpet District.
3. Velmurugan
4. George
5. Kuppan
6. Murali
7. Ganapathy
8. Sambath

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 27.08.2024 given by the petitioner to the first respondent i.e., The Tahsildar, Chengalpet District.



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For Petitioner : Mr.C.Saravanakumar
For R1 : Mr.S.J.Sathik Mohamed
Government Advocate
For R2 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

The petitioner herein seeks a direction to the respondents to consider his representation dated 27.08.2024 for issuance of patta in respect of property in Survey No.230/1, Potheri Village, Chengalpattu Taluk.

2. By consent of both the learned counsel appearing for the petitioner as well as first respondent, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that they have been in possession and enjoyment of the property for the past 60 years. Based on their possession the representation dated 27.08.2024 was submitted before the first respondent seeking issuance of revenue patta.



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4. A perusal of the documents in the typed set of papers would suggest that the petitioner's adjacent property in survey No.229/1 A2 in Potheri Village, Chengalpattu Taluk is covered under Registered sale deed dated 19.11.2018. In the said sale deed, Survey No.230/1 is shown as boundary. Therefore, it is clear that the property mentioned in the representation of the petitioner was not purchased by the petitioner Company. Even in the representation, the petitioner only stated that it has been in possession and enjoyment of the property for more than 60 year and acquired possessory right over the same. Furthermore, the respondent revenue authority is not a competent authority to decide the possessory right or adverse title over the subject property. Therefore, this court is not inclined to direct the respondents to consider the representation of the petitioner dated 27.08.2024. Accordingly, this writ petition is dismissed. It is open to the petitioner to work out their remedy before the civil Court. No costs. Consequently, connected miscellaneous petition is closed.

21.10.2024

Index : Yes/No



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Internet : Yes/No
Speaking Order/Non-Speaking Order

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To

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S. SOUNTHAR, J.

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