



W.P.No.36318 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.36318 of 2023

A.Prabu Deva

... Petitioner

versus

1.The Tahsildar,
Panruti Taluk,
Cuddalore District.

2.The Inspector of Police,
Pudupettai Police Station,
Cuddalore District.

3.Subramaniyan

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to consider and dispose the petitioner's applications dated 20.01.2022, 07.08.2023 and 08.08.2023 and to conduct survey with help of the second respondent and grant Patta in the name of the petitioner for his property situated at Cuddalore District, Panruti Taluk, Kandarakottai Village, comprised in S.No.36/2 bearing Patta No.419 measuring an extent of 10 cents out of 18 cents.

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For Petitioner : Mr.P.Arunkumar
For Respondents : Mrs.V.Yamunadevi
Special Government Pleader for R1

Mr.S.Sugendran
Additional Public Prosecutor for R2

ORDER

Mrs.V.Yamunadevi, learned Special Government Pleader accepts notice for the first respondent and Mr.S.Sugendran, learned Additional Public Prosecutor accepts notice for the second respondent. Since this writ petition is being disposed of without passing any adverse orders against the third respondent, affecting his interest, notice to the third respondent is dispensed with.

2. This writ petition has been filed seeking for a mandamus directing the first respondent to consider and dispose of the petitioner's applications dated 20.01.2022, 07.08.2023 and 08.08.2023, respectively and to conduct survey with help of the second respondent and grant Patta in favour of the petitioner in respect of his property situated at Cuddalore District, Panruti



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Taluk, Kandarakottai Village, comprised in S.No.36/2 bearing Patta No.419 measuring an extent of 10 cents out of 18 cents.

3.The learned counsel for the petitioner submitted that the petitioner has made on-line application dated 20.01.2022 to the first respondent and he has also paid requisite fees vide E-challan. In response to the said application dated 20.01.2022, the petitioner was called for an enquiry on 08.02.2022 but no final order has been passed by the first respondent till date. The reminders sent by the petitioner also did not yield any fruitful result. Hence, the petitioner is constrained to file the present writ petition.

4. The learned Special Government Pleader appearing for the first respondent submitted that in response to the application dated 20.01.2022, the second respondent has already sent notice to the petitioner for enquiry on 08.02.2022.

5. From the submissions made by the learned counsel on either side, this Court finds that the first respondent is not able to say the outcome of the enquiry as to whether the grievance of the petitioner was redressed or



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not. Therefore, the first respondent is directed to issue a fresh notice to the petitioner, the third respondent herein, adjacent owners of the four boundaries of the subject property and rival claimants / interested parties if any and after conducting enquiry in the manner known to law and pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of.

However, there shall be no order as to costs.

05.01.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

To

1.The Tahsildar,
Panruti Taluk,
Cuddalore District.

2.The Inspector of Police,
Pudupettai Police Station,
Cuddalore District.

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P.VELMURUGAN, J.

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