



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.35632 of 2023

N.Ganesh Babu

... Petitioner

Vs.

1. The District Collector
Kancheepuram District, Collectorate of Kancheepuram,
Kancheepuram
2. The Revenue Divisional Officer
Sriperumbadur Taluk, Collectorate of Kancheepuram
Kancheepuram
3. The Tahsildar
Athanancheri Village, Sriperumbadur,
Sriperumbadur Taluk, Kancheepuram
4. The Tahsildar
Kundrathur, Kundrathur Taluk,
Metha Nagar Main Road,
Kancheepuram
5. The Village Administrative Officer
Athanancheri Village, Sriperumbadur,
Sriperumbadur Taluk, Kancheepuram

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents particularly the 4th respondent to take immediate steps to conduct enquiry for issuing patta in favour of the petitioner and complete the same within a time frame fixed by this Court.



For Petitioner : Mr.N.Sivaprakash

For Respondents : Ms.Akila Rajendran
Government Advocate

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the respondents particularly the 4th respondent to take immediate steps to conduct enquiry for issuing patta in favour of the petitioner and complete the same within a time frame as may be fixed by this Court.

2.The contention of the petitioner is that the petitioner purchased 50 cents of land at Athanacheri Village, Sriperumbudur Taluk, by way of Sale Deed Dated 04.03.1992, registered as document No.754 of 1992 in the Office of Sub Registrar, Guduvancherry, and thereafter, he was in peaceful and continuous possession and enjoyment of the same. The petitioner had approached the 3rd respondent for issuance of Patta in his favour and subsequently, the petitioner made a representation dated 18.12.2017 to all the respondents. However, there was no response. Hence, he filed a writ petition in W.P. No.16228 of 2018 seeking a direction to take immediate steps for



issuance of Patta in his favour and this Court by order dated 19.11.2019, directed the 3rd respondent to complete the enquiry and pass orders on the petitioner's representation within a period of four weeks. Even thereafter, the petitioner did not receive any notice for enquiry and he was waiting indefinitely. Hence the petitioner was constrained to issue a notice through his Advocate on 27.01.2020 to the respondents 1 to 3 and 5 for passing orders within the time frame as directed by this Court. On receipt of the same, the 1st respondent sent a letter to the 4th respondent to communicate the action taken by the 4th respondent by addressing a copy of that letter to the petitioner's counsel after which, the petitioner came to know that the subject property now falls under the jurisdiction of the 4th respondent. Even after several communication by the 1st respondent and also notice from the petitioner's counsel, there was no response from the 4th respondent. Thereafter, on 21.01.2022, as directed by the 4th respondent, the petitioner's father gave a statement on behalf of the petitioner narrating the entire facts right from the date of purchase by the petitioner till the issuance of Patta. Since there was no response, the petitioner's father made a representation to the 4th respondent on 18.02.2023 to take expeditious steps. The petitioner has been waiting for years indefinitely to get patta in his favour inspite of



getting an order from this Court in W.P. No.16228 of 2018. However, since there was no response from the 4th respondent, the petitioner was constrained to file this writ petition.

3. Ms.Akila Rajendran, learned Government Advocate appearing for the respondents submitted that a direction may be issued to the 4th respondent to conduct enquiry and pass orders on merits within a stipulated time as may be directed by this Court.

4. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the 4th respondent to conduct enquiry in the manner known to law and after issuing notice and giving opportunity of hearing to the petitioner and interested parties/rival claimants/objectors if any, as the case may be, pass orders on merits and in accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.



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

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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P.VELMURUGAN. J.

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