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W.P.No.3771 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.3771 of 2024

J.Charles Jayakumar

....

Petitioner

-Vs-

- 1.The District Collector
Office of the Collectorate
Cuddalore District.
- 2.The District Revenue Officer
Collectorate Campus
Cuddalore District.
- 3.The Revenue Divisional Officer
Cuddalore District.
Cuddalore.
- 4.The Assistant Director
District Town and Country Planning
No.34, Tamizh Muthu Nagar
Jkondur-607006
Cuddalore District.
- 5.Tahsildar
Taluk Office
Kurinjpadi
Cuddalore District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to consider the representation dated 19.06.2023 28.06.2023 08.08.2023 and 24.08.2023 given to the respondents herein and further



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direct the respondents for conversion of the non-residential premises to residential premises and to issue patta in respect of the property in Cuddalore R.D , Vadalur Sub R.D,Serakuppam Village under Vadalur Municipality, New Survey No.1/1 (One/One) relates to Old survey No.82/3 measuring 3.11.5 Ares Layout approved by the appropriate authority of Directorate of District Town and Country Planning in No.MA.VA/Na. OO.E.No-3/2004 situated in Sri Ragavendra City Allotted to Children's School to an extent of 24884.5 sq.ft having boundaries of Government Land in the West, House Plot No.3,4,5,6 in the approved layout of Sri Ragavendra city in the East, Neycer Compound Wall on the North, 23 feet wider road in the South, in which East West Jaadiyadi Northern Side 158 (One Hundred and Fifty Eight) Southern Side 156 (One Hundred and Fifty Six), South-North Jaadiyadi Eastern Side 149 (One Hundred and forty nine) Western side 168 (one hundred and sixty eight) totalling to an extent of 24884.5 sq.ft. Plot, in which RCC built house in ground floor and 1st floor together (presently in dilapidated condition) to an extent of 2687 sq.ft., in Door No.12, House tax No.6774, Seshasayee Street included in Ward No.5 in favour of the petitioner.

For Petitioner : Mr.E.V.Chandru @ E.Chandrasekaran

For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 to R5

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to act upon the application submitted by the petitioner who is seeking for the conversion of non-residential premises into residential premises and for issuance of patta in the name of the petitioner.



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2.Heard Mr.E.V.Chandru @ E.Chandrasekaran, learned counsel for the petitioner

and Mr.P.Sathish, learned Additional Government Pleader for R1 to R5.

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3.The petitioner purchased the property and the layout was approved for running a children's school. However, the petitioner was not able to start any school and the property was lying vacant. In view of the same, the petitioner sought for conversion of the property into residential premises. He submitted his application and the same was not acted upon. Aggrieved by the same, the present writ petition has been filed before this Court.

4.When the matter was taken up for hearing, the learned Additional Government Pleader submitted that if the petitioner submits the application through on-line mode, the same will be considered and appropriate decision will be taken within the time frame fixed by this Court.

5.In reply to the above submission, the learned counsel for the petitioner brought to the notice of this Court that the petitioner has in fact submitted on-line application on 16.03.2022 to convert the non-residential premises to residential premises and thereafter yet another on-line application was submitted on 31.10.2022 seeking for reclassification.



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6. In view of the above, it is clear that the petitioner has already submitted the on-line application. Hence, there shall be a direction to the 4th respondent to deal with the application submitted by the petitioner and take a decision strictly in accordance with law, within a period of six weeks from the date of receipt of copy of the order. If the 4th respondent wants any clarification, notice shall be issued to the petitioner and the petitioner shall be called for an enquiry and all the relevant documents can be collected from the petitioner. Depending upon the result, before the 4th respondent, the petitioner can thereafter seek for patta from the 5th respondent viz., the Tahsildar, Kurinjipadi, Cuddalore District.

7. This writ petition is disposed of with the above directions. No costs.

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Index : Yes/No
NCS : Yes/No
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N.ANAND VENKATESH, J.

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