



WEB COPY



W.P.No.31339 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM :

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

Writ Petition No.31339 of 2024

J.Jayapaul Mohan

.... Petitioner

-Vs-

1.The District Collector
Chennai Collectorate
Chennai 600 001.

2.The Tahsildar
Ayyanavaram Taluk Office
Ayyanavaram, Chennai 600 023.

3.J.Sam Javid

..Respondents

**(R3 Impleaded as per order dt.06.02.2025
in WMP 35336/2024 in WP.31339/2024 by NAVJ)**

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directions in the nature of writ pertaining to the application pending with the 2nd respondent submitted by the petitioner and to direct the respondents to issue the PATTA to the petitioner's property situate at Ayyanavaram Village, 14-A-Veerasingam Street, Block No.14 Survey No.44/1.

For Petitioner : Mr.T.S.Kani

For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 and R2

Mr.S.Kumaraganesan for R3



W.P.No.31339 of 2024

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 2nd respondent to issue patta to the petitioner with respect to the subject property by considering the application submitted by the petitioner on 28.08.2024.

2.Heard Mr.T.S.Kani, learned counsel for the petitioner, Mr.P.Sathish, learned Additional Government Pleader for respondents 1 and 2 and Mr.S.Kumaraganeshan, learned counsel for impleaded 3rd respondent.

3.The learned Additional Government Pleader appearing on behalf of the 1st and 2nd respondents submitted that considering the fact that a civil suit is pending between the petitioner and the 3rd respondent in OS.No.4735 of 2023 before the XVII Assistant City Civil Court, Chennai, the 2nd respondent is going to await for the final result in the suit and no proceedings are going to be issued touching upon the merits of the case.

4.The learned counsel for the petitioner submitted that the patta is sought for a property which is not a subject matter in the suit and therefore, the 2nd respondent cannot refuse to consider the application submitted by the petitioner on merits.



W.P.No.31339 of 2023

5.The learned counsel for the 3rd respondent submitted that the dispute that is involved in the present writ petition has a bearing on the dispute that is now pending before the Civil Suit in OS.No.473 of 2023. The learned counsel further submitted that the earlier applications that were submitted by the petitioner was rejected by the Tahsildar and this is the third application that has been submitted before the Tahsildar seeking for patta.

6.In the considered view of this Court, it is not necessary for this Court to go into the various contentions that were put forth by the learned counsel for the petitioner and the learned counsel for the 3rd respondent. The stand of the 2nd respondent has been made clear before this Court by the learned Additional Government Pleader. In view of the same, this stand taken by the 2nd respondent shall be communicated to the petitioner within a period of four weeks from the date of receipt of copy of the order. Except giving this clarity, no further orders can be passed in this writ petition.

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

06.02.2025
2/2

Index : Yes/No
NCS : Yes/No
KP



W.P.No.31339 of 2024

N.ANAND VENKATESH, J.

KP

To

1.The District Collector
Chennai Collectorate
Chennai 600 001.

2.The Tahsildar
Ayyanavaram Taluk Office
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Writ Petition No.31339 of 2024

06.02.2025

2/2