

(2012) 01 MAD CK 0241
In the Madras High Court
Case No : Writ Petition No. 16094 of 2011

Krishnagopalan

APPELLANT

Vs

The District Collector, Kancheepuram District, Kancheepuram,
The Tahsildar and N. Suseela Nagarajan

RESPONDENT

Date of Decision : 09-01-2012

Acts Referred:

Citation : (2012) 01 MAD CK 0241

Hon'ble Judges : Vinod K. Sharma, J

Bench : Single Bench

Advocate : K.P. Chandrasekaran, for the Appellant; R. Ravichandran, Additional Government Pleader, for the Respondent

Judgement

Honourable Mr. Justice Vinod K. Sharma

1. The petitioner has approached this Court with a prayer for issuance of a Writ in the nature of Mandamus, directing the respondents to dispose the petitioner's representation dated 27.04.2011, within the time fixed by the Court. The petitioner purchased a piece of land at Thiyur Village, Chengalpattu Taluk, Kancheepuram District on 1st September, 2003 from Tmt. Rajammal through her Power Agent M. Rajan, son of Muthurkishnan bearing Plot Nos. 106/146, 107/147, 108/14 and 109/15 each plot measuring 1200 sq. ft.

2. The sale deed was duly registered as document No. 2320 of 2003 dated 29.03.2003 at Thiruporur Sub Registrar Office. The petitioner, thereafter, applied for patta to the Respondent No. 2-The Tahsildar, Chenglepattu Taluk, Kancheepuram District. The application for grant of patta was made on 18th February, 2009, the petitioner was thereafter asked to get "No Objection Certificate" from the Police Department for granting patta, which was also submitted to Respondent No. 2.

3. The case of the petitioner is that respondent No. 2 has failed to perform his statutory duty in spite of representation having been made in this regard.

4. The petitioner, in pursuance of the purchase, has a legal right to get patta of land and Respondent No. 2 is under legal obligation to pass orders on the application moved by the petitioner for grant of patta, as it is open to him to accept or reject the said application against which the parties can avail a statutory remedy provided under Tamil Nadu Patta Passbook Act, 1983.

5. Learned Counsel for the State does not oppose the prayer made by the petitioner for directing the second respondent to dispose of the application filed by the petitioner on merits, in accordance with law. In view of the stand taken by the Learned Counsel for the State, this Writ Petition is disposed of directing Respondent No. 2, to take a final decision on the application filed by the petitioner for grant of patta in accordance with law, within a period of two months of the receipt of certified copy of this order.

No costs.