IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12440 of 2015

The Diocese of Chengalpet
rep by Rev.Father Thomas J.Mundackal,
Property Administrator,
Bishops House,
Kanchipuram High Road,
Thimavaram,
Kanchipuram District. ... Petitioner

Vs.

1. The District Collector,
   Kanchipuram District.

2. The Tahsildar,
   Alandur Taluk,
   Alandur, Chennai. ... Respondents

Prayer:
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to effect name transfer for the properties mentioned in the petitioner representation in the typed set of papers in the name of DIOCESE OF CHENGALPUT/SOCIETY as the case may be (as the owner of the properties) in all the revenue records including Patta, Chitta, Adangal, etc.

For Petitioner : Mrs.Selvi George

For Respondents : Mr.Rm.Muthukumar,
Government Advocate

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O R D E R

By consent the writ petition is taken up for final disposal.

2.Petitioner claims that the Diocese of Chengalput Society is duly registered under Tamil Nadu Societies Registration Act, 1975 vide SL.No.146/2002 dated 28.10.2002. It would further state that the Arch Diocese of Madras Mylapore Society purchased the lands in the name of Arch Diocese of Madras Mylapore Society. The lands are situated in various Taluk namely Kanchipuram, Chengalpet, Uthiramerur, Cheyyur, Thirukazhukundram, Sriperumbudur, Madurantakam, Alandur, Thiruporur, Sholinganallur and Tambaram. And for easy administration of Diocese, the Holy Pope bifurcated the Arch Diocese of Madras Mylapore into two names i.e. (1) Arch Diocese of Madras Mylapore and (2) Diocese of Chengalpet and subsequent to the bifurcation the Diocese of Chengalpet Society was formed and registered with specific boundaries and on account of the formation of Diocese of Chengalpet Society, the lands situated in Kanchipuram, Chengalpet, Uthiramerur, Cheyyur, Thirukazhukundram, Sriperumbudur, Madurantakam, Alandur, Thiruporur, Sholinganallur and Tambaram were handed over to the Diocese of Chengalpet Society. The said Diocese took possession and is in enjoyment of the same. However, the Revenue records said to continue in the name of Arch Diocese of Madras Mylapore as owner of the property and No Objection Letter was also issued by the Arch Diocese of Madras Mylapore for name transfer and in this regard a detailed representation was submitted to the respondents in person and since no response is forthcoming, the present writ petition is filed.

3.Heard the submissions of Mrs.Selvi George, learned counsel appearing for the petitioner and Mr.Rm.Muthukumar, learned Government Advocate who accepts notice for the respondents.

4.A perusal of the typed set of documents would be disclose acknowledgement for the petitioner having submitted a representation is not available and it is the submission of the learned counsel appearing for the petitioner that the said application/representation is submitted in person.

5.This Court in the facts and circumstances, permits the petitioner to submit a fresh representation to the second respondent by enclosing the copy of earlier application/representation dated 16.12.2014 within a period of two weeks from the date of receipt of a copy of this order and the second respondent on receipt of the same is directed to give an opportunity of personal hearing to the representative of the petitioner and pass orders in accordance with

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law after putting on notice to the persons concerned within a period of twelve weeks thereafter and communicate the decision to the petitioner as well as the persons concerned.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nvi/pri

To

1. The District Collector,
   Kanchipuram District.

2. The Tahsildar,
   Alandur Taluk,
   Alandur,Chennai.

+1cc to Ms.Selvi George, Advocate, S.R.No.23522
+1cc to the Government Pleader, S.R.No.23271

W.P.No.12440 of 2015

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