

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15458 of 2015

Tmt.Kalavathi Rengaswamy

... Petitioner

- Vs -

1.The Revenue Divisional Officer,
Ambattur Road,
Ambattur, Chennai 600 053.

2.The Tahsildar,
Maduravoyal Taluk,
Gangai Amman Koil Street,
Near M.L.A. Office,
Alapakkam, Chennai 600 116.

3.Mrs.Anusuya, R.C.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to transfer the patta in favour of the petitioner in respect of the property comprised in S.No.35/75 in Chettiaragaram Village, Maduravoyal Taluk, Thiruvallur District measuring an extent of 2650 square feet by considering the representation dated 06.08.2012 made by the petitioner.

Petitioner : Mr.C.Selvaraju, Senior Counsel,
for M/s.C.S. Associates

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader

ORDER

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

2. The petitioner claims that she purchased a piece of land measuring to an extent of 2650 square feet comprised in S.No.35/75 at Chettiaragaram Village, (the then Ambattur Taluk) now at Maduravoyal Taluk, Thiruvallur District, by means of a registered sale deed dated 19.10.1995 from one Sri.Singaravelu. It is stated by the petitioner

that there were civil litigations which ultimately decided against the rival claimants. After she purchased the property, she has put up a compound wall and also put up a small shed for keeping the property intact. She has also got electricity service connection to the property bearing SC No.405007853 on 04.10.2012. It is further stated by the petitioner that on 06.08.2012, she submitted an application for transfer of patta in her name and however, one Nesamani sold the property to one Mrs.Anusuya and she also filed a suit in O.S.no.66 of 2014 on the file of the learned Additional District Munsif, Poonamallee and obtained an exparte order of injunction on 18.02.2014. The petitioner, who is the 2nd respondent in the said application, filed an application praying to vacate the said ex parte order of interim injunction and subsequently, the injunction order came to be vacated by order dated 11.12.2012. Thereafter, the petitioner made repeated requests to the 2nd respondent for transfer of patta and since she has not been favoured with any response, she came forward with this writ petition.

3. Heard Mr.C.Selvaraju, the learned senior counsel appearing for the petitioner and Mr.R.Vijayakumar, the learned Additional Government Pleader who accepts notice for the respondents.

4. Though the petitioner prayed for a larger relief, taking into consideration of the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, this court directs the 2nd respondent only to consider the petitioner's application/representation dated 06.08.2012 and the reminder dated 12.01.2015 after putting on notice to the 3rd respondent and pass appropriate orders on the same within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the 3rd respondent.

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Revenue Divisional Officer,
Ambattur Road, Ambattur, Chennai-53.

2.The Tahsildar, Maduravoyal Taluk,
Gangai Amman Koil Street, Near M.L.A.
Office, Alapakkam, Chennai 600 116.

+1cc to M/s.C.S.Associates, Advocate, S.R.No.26273

+1cc to the Government Pleader, S.R.No.26147

PUR(CO)
EU(11/06/2015)

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