

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 22-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.17665 OF 2015

S.Umashankar

...

Petitioner

-vs-

The Tahsildar,
Office of Sholinganallur Taluk,
Kancheepuram District

...

Respondents

Writ Petition has been filed, praying for issuance of a writ of mandamus, directing the respondent to consider the representation of the petitioner, dated 04.08.2014, and grant patta in his favour in property situated at Survey No.22/5A and 5B to an extent of A.0.04 i.e., 1744 sq.ft. In Arasankazhani village, Tambaram Taluk, Kancheepuram District.

For petitioner : Mr.T.Arul

For respondent : Mr.V.Subbiah,
Special Govt.Pleader.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner claims that he has purchased the property, admeasuring an extent of 1744 sq.ft. in Survey No.22/5A and 5B, in Arasankazhani Village Tambaram Taluk, Kancheepuram District, from one K.Selvam on 26.11.2012 for a valid consideration and the same was registered vide document No.9111/2012 on the file of Sub-Registrar, Selaiyur, and, in order to mutate the revenue records, he has submitted a representation, dated 04.08.2014, to the respondent, praying for grant of patta, and, though it was acknowledged by the office of the respondent, he has not been favoured with any response and, hence, he has come forward with this Writ Petition.

3. Heard Mr.V.Subbiah, learned Special Government Pleader, who took notice on behalf of the respondent.

4. This Court, in W.P.No.10064 of 2014, has pointed out to the delay in issuing orders with regard to transfer of patta, based on which, the Secretary to Government, Revenue Department, Secretariat, Chennai, vide D.O.Letter No.19925/SS1/1/2015, dated 10.06.2015, addressed letters to all the District Collectors with copies marked to Additional Chief Secretary, Commissioners of Land Administration and Revenue Administration as well as the Director of Survey and Settlement, Chennai-4, stating that strict instructions have to be issued to all the subordinate officers of concerned

Taluk/Divisional level under the control of District Collectors, to strictly adhere to the guidelines issued in G.O.Ms.No.210, Revenue Department, dated 08.07.2011, while disposing of the applications for name transfer in the pattas. It has been further indicated in the said letter, stating, failing compliance of the letter would result in necessary disciplinary action against the erring officers.

5. In spite of the fact that such a letter was sent by the Secretary to Government, Revenue Department, it is noticed, no action has been taken by the jurisdictional Tahsildars/Officers, either to issue patta or transfer the patta, by disposing of the applications filed by the persons concerned. Therefore, the District Collector of Kancheepuram is directed to take necessary action in this regard.

6. Incidentally, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner, dated 04.08.2014, and pass orders regarding transfer of patta on merits and in accordance with law, after putting the persons concerned on notice, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken thereon to the petitioner, by marking a copy to the District Collector of Kancheepuram.

7. Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

dixit

To

The Tahsildar,
Office of Sholinganallur Taluk,
Kancheepuram District

Copy to

The Collector
Kancheepuram District

1 cc to Mr.T.Arul Advocate, sr. 30410
1 cc to Government Pleader, Sr. 30566

W.P.No.17665/2015