

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17880 of 2015

1.Nirmala Devi
2.Vadivambal
3.G.Santhanakrishnan
4.Gunasundarai
5.G.Parthasarathy
6.Rani @ Indirani

All are rep by their Power of Attorney
Mr.Prem Kumar ... Petitioners

Vs.

The Thasildar
Sholinganallur Taluk
Sholinganallur
Chennai. ... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to issue patta to the petitioners in terms of the representation dated 10.02.2015 for the property situated at survey No.515 of Village No.153, Perumbakkam Village, Sholinganallur Taluk, Kanchipuram District admeasuring 3.89 acres.

For Petitioner : Mr.K.Elango

For Respondent : Mr.V.Subbiah

Special Government Pleader

O R D E R

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

2.The deponent of the affidavit is the Power of Attorney of the petitioners and according to them, they are the legal heirs of K.N.Gopalakrishna Pillai and inherited the property in S.No.515 of Village No.153, Perumbakkam Village, Sholinganallur Taluk, Kanchipuram District admeasuring to an extent of 3.89 acres. Petitioners would further state that G.Arun Kumar has executed a forged sale deed in respect of the said property in favour of Shanti Lal, Kishore Chand, Uma and Bathal Chand vide registered document bearing no.4340 of 2005 dated 03.06.2006 registered on the file of the Sub-Registrar, Tambaram, Chennai and they in turn sold 1.92 acres out of the total extent of 3.89 acres in favour of Murugavel vide

registered sale deed bearing document no.3129 of 2006 dated 15.03.2006 registered on the file of the Sub-Registrar, Tambaram, Chennai. The said Murugavel sold the said 1.92 acres in favour of Karthick vide document no.5637 of 2006 dated 28.06.2006 registered on the file of the Sub-Registrar, Tambaram, Chennai.

3.The petitioners on coming to know of the above said facts, had filed O.S.No.918 of 2012 on the file of the Additional District Munsif Court at Alandur to declare the sale deed as null and void and an exparte order came to be passed on 27.08.2014. Thereafter, the petitioner submitted representation on 10.02.2015, to the respondent praying for issuance of patta by bringing to his knowledge the above said degree. Since no response is forthcoming, they also submitted representation to the Hon'ble Minister of Revenue dated 11.03.2015. As no steps have been taken by the respondent to alleviate the grievance of the petitioners, they came forward to file this writ petition.

4.Heard the submissions of Mr.K.Elango, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondent.

5.This Court without going into the merits of the claim projected by the petitioners, directs the respondent to consider and dispose of the petitioners representation dated 10.02.2015 in accordance with law after putting on notice the persons concerned, and pass orders 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 persons concerned.

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

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To
The Thasildar
Sholinganallur Taluk
Sholinganallur
Chennai.

1 cc to Mr. K.Elango, Advocate Sr.No.30747
1 cc to Government Pleader.Sr.No.30876

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kgk(co)
pmk.3.7.2015