

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.18448 of 2015

1.R.Manjula
2.J.Kasthuri
3.V.Geetha

.. Petitioners

vs

1.The Revenue Divisional Officer
Tiruvallur, Tiruvallur District
2.The Tahsildar
Poonamallee Taluk,
Tiruvallur District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent Tahsildar to identify, measure and survey the lands in erstwhile S.No.291/8, Kannapalayam Village, Poonamallee Taluk, Tiruvallur District, and issue patta to the petitioners for the 49 cents of land.

For Petitioners : Mr.V.Vijay Shankar

For Respondents : Mr.M.Digvijaya Pandian
Additional Government Pleader

ORDER

सत्यमेव जयते

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

2.The deponent of the affidavit filed in support of this writ petition, is the Power of Attorney Agent of the petitioners and according to them, the right, share and interest of their mother viz. Indiraniammal, in respect of the landed property admeasuring to an extent of 99 cents in Survey No.291/8, Kannapalayam Village, Poonamallee Taluk, Tiruvallur District, devolves on them and patta in Patta No.584, was also issued in their names along with one Loganathan. The said person namely, Loganathan, in turn, has sold his share of 50 cents of land in the said Survey Number, vide registered sale deed dated 2.2.2011.

3.The grievance expressed by the petitioners, is that thereafter, subdivision was effected without any notice or prior intimation, and a separate patta was issued by subdividing Survey No.291/8 into Survey Nos.291/8A1C, 291/8A1B and 291/8A1D, in the

names of three purchasers viz. Tvl. B.Loganathan, B.Ramachandran and B.Vijayakumar, leaving out the names of the petitioners, and in this regard, they submitted an application dated 7.4.2014, to the first respondent along with necessary particulars, followed by a reminder dated 5.8.2014, praying for measurement of the land and issuance of patta, and since they have not been favoured with any response, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioners, and Mr.M.Digvijaya Pandian, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

5.Though the petitioners prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioners, directs the second respondent to consider and dispose of the petitioners' application dated 7.4.2014, and reminder dated 5.8.2014, in accordance with law, after putting on notice, the persons concerned, within a period of six weeks from the date of receipt of a copy of this order, and communicate the decision taken, to the petitioners as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

- 1.The Revenue Divisional Officer
Tiruvallur, Tiruvallur District
- 2.The Tahsildar
Poonamallee Taluk,
Tiruvallur District

+1cc to Mr.V. Vijay Shankar, Advocate, S.R.No.31916
+1cc to the Government Pleader, S.R.No.31916

SV(CO)
EU(09/07/2015)

W.P.No.18448 of 2015