

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 29.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18762 of 2015

Smt.K.Jayalakshmi

... Petitioner

Versus

1 The Tahsildar
Natham Land Tax Scheme
Tambaram
Kancheepuram District.

2 K.Sigamani .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to consider the petitioner representation dated 23.2.2015 and thereby direct the 1st respondent to remove the 2nd respondent name in the Town Survey Field Register in respect of land in Survey No.186/3B Selaiyur Village Tambaram Chennai-73 to an extent of 8 cents and enter the petitioner name in the Town Survey Field Register and issue patta in respect of the above property in favour of the petitioner within a stipulated period of time.

For Petitioner : Mr.M.V.Muralidharan
For Respondents : Mr.R.Govindasamy
Additional Government Pleader

O R D E R

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

2. The petitioner would claim that her grandfather was in absolute possession and enjoyment of the property in Survey No.186/3B and other properties situated at Selaiyur Village, Tambaram, Chennai and after the demise of her grandfather, her grandmother viz., Muniyammal, succeeded to the estate and she in turn executed a registered settlement deed bearing Document No.7172/2007 dated 13.07.2007 in favour of the petitioner. The right of the petitioner to be in possession of the land, is sought to be interfered with and therefore, she filed a suit in O.S.No.341 of 2007 on the file of the Court of District Munsif, Tambaram for permanent injunction and it was decreed and the appeal in A.S.No.12 of 2008, preferred by the defendants 1 and 2 therein was dismissed by Sub Court, Tambaram. The second appeal in S.A.No.866/2010, was also dismissed by this

Court, confirming the judgments and decrees passed by the Courts below.

3. The grievance expressed by the petitioner is that in the interregnum, the 2nd respondent managed to include her name in the Town Survey Field Register and in this regard, she submitted a representation dated 23.02.2015, praying for removal of her name and with a request to include her name in the said Register and since, she has not been favoured with any response, came forward to file this writ petition.

4. Heard the submissions of Mr.M.V.Muralidharan, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice on behalf of the 1st respondent.

5. This Court, in the above facts and circumstances and without going into the merits of the claim projected in this writ petition, directs the 1st respondent, to consider the petitioner's representation dated 23.02.2015, in accordance with law, after putting on notice the 2nd respondent and pass orders, as expeditiously as possible and not later than six 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 2nd respondent.

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

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Tahsildar
Natham Land Tax Scheme
Tambaram
Kancheepuram District.

+ 1 cc to Mr.M.V.Muralidharan, Advocate SR 31846

+ 1 cc to Govt.Pleader SR 32084

rsi(co)
prk10/7

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