

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20350 of 2015

1. V.Anandan
2. A.Gnanamaheswari ... Petitioners

- Vs -

1. The District Collector,
Collector Office,
Chennai.
2. The Thasildar,
Thasildar Office,
Tondarpattai, Old Washermenpet,
Chennai - 21. ... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to dispose of their appeal dated 03.12.2013 within a stipulated time.

For Petitioners : Mr.J.Nandagopal

For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

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

2. The petitioners claim to have purchased 1716 sq.ft of land which is part of Old Survey No.3096, New R.S.No.3734, New Survey No.3734/39 Municipal No.118, C.C.No.7638, Old Door No.1/3, New No.29, Veera Kutty Street, Old Washermenpet, Chennai - 21 vide registered sale deed bearing document No.3978/2010, dated 27.12.2010 registered on the file of the office of the Sub Registrar, Royapuram. The petitioners thereafter submitted an application dated 02.02.2011, for sub-division and transfer of patta. Since no steps have been taken by the second respondent, they were constrained to file writ petitions in W.P.Nos.7097 and 7098 of 2011 for a direction to the second

respondent to consider and dispose of their application. This Court by a common order dated 16.10.2012, directed the second respondent to consider and dispose of the said application within the stipulated time frame. The second respondent in compliance of the said order, considered the application of the petitioners and rejected the same vide his order dated 31.07.2013. Aggrieved over the same, the petitioners preferred an appeal before the first respondent. Though two years have lapsed, no order has been passed and hence the petitioners have come forward with this writ petition.

3. Heard the submissions of Mr.J.Nandagopal, learned counsel appearing for the petitioners and Mr.V.Subbiah, learned Special Government Pleader accepts notice for the respondents.

4. This Court taking into consideration the limited scope of the prayer made in this writ petition, without going into the merits of the appeal submitted by the petitioners, directs the first respondent to consider and dispose of the petitioners' appeal dated 03.12.2013, in accordance with law after putting on notice the persons concerned and pass orders 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 the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collector Office,
Chennai.
2. The Thasildar,
Thasildar Office,
Tondarpattai, Old Washermenpet,
Chennai - 21.

+1cc to Mr.J.Nandagopal, Advocate, S.R.No.34495
+1cc to the Government Pleader, S.R.No.35040

W.P.No.20350 of 2015

BR(CO)
CA(28/07/2015)