

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.23883 of 2015

Mr.A.Kavimani

...Petitioner

Vs.

1. The Tahsildar,
Purasaiwakkam Taluk Office,
Nehru Stadium,
Chennai-600 003.

2. The District Collector,
Chennai District,
Chennai-600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's application dated 27.02.2015 pending on the file of the 1st respondent in accordance with law within stipulated time.

For Petitioner : Mr.M.Jaikumar

For Respondents : Mr.S.Pattabiraman,
Government Advocate

O R D E R

The petitioner is the Power Holder of one P.Nandakumar. Though the Writ Petition cannot be filed by the petitioner without representing the principal, considering the facts of the case, this Court treats the petitioner as the Power Holder of P.Nandakumar. Therefore, the order is meant to be applied for him only.

2.Claiming to be the owner of the property situated in R.S.No.2902, B.K.46, Purasiwakkam, Otteri Nalla, Konnur High Road to the extent of 2.0747 Ground, the petitioner made a request for issuance of patta.

3.On a perusal of the documents, it is clear that the representation was not considered on the ground that the petitioner has not produced the original Sale Deed executed in favour of the petitioner.

4.The learned counsel appearing for the petitioner submitted that the petitioner inherited the property from his grandfather. He has enclosed the Partition Deed executed in favour of his grandfather, therefore, the respondent no.1 will have to consider the enquiry and then take appropriate action on the subsequent representation made on 15.06.2015.

5.Considering the submissions made, a direction is issued to the respondent no.1 to pass appropriate orders on the representation made by the petitioner dated 27.02.2015 followed by another representation dated 15.06.2015 within a period of eight weeks from the date of receipt of a copy of this order.

6.It is made clear that this Court has not expressed anything on merits as it is for the respondent no.1 to consider the related documents and satisfy himself about the source of title of the petitioner, including the Partition Deed said to have been executed in favour of his grandfather.

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

Sd/-

Assistant Registrar (CS-III)

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To

1. The Tahsildar,
Purasaiwakkam Taluk Office,
Nehru Stadium,
Chennai-600 003.

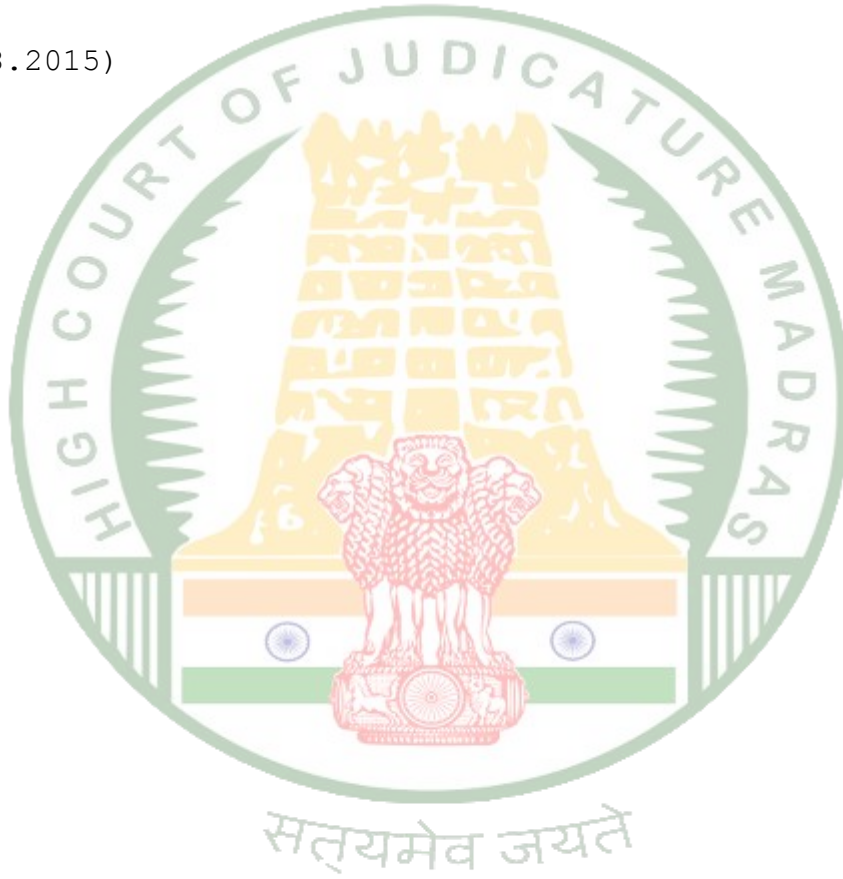
2. The District Collector,
Chennai District,
Chennai-600 001.

1 CC to Mr.M.Jaikumar, Advocate SR.No. 40864

1 CC to the Government Pleader, SR.No. 40737

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EV (CO)
PSI (24.08.2015)



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