

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.No.25944 of 2015

J. Sulthana

... Petitioner

-Versus-

- 1.The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai 600 005.
- 2.The District Revenue Officer,
Collectorate,
Kancheepuram District.
- 3.The Revenue Divisional Officer,
Tambaram Taluk,
Kancheepuram.
- 4.The Tahsildar,
Sholinganallur Taluk Office,
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 22.08.2014 with regard to issue of patta in favour of the petitioner in respect of housing plot situated in S.No.64 part, Plot NO.6, Krishna Nagar, 7th Street, Palavakkam Village, Kancheepuram District, in the light of the order of the 1st respondent in his proceedings in D.Dis.K3/2227/2015etc., dated 04.10.2015 and pass appropriate orders thereon within a time to be stipulated by this court.

For petitioner : M/s.G.Bala and Daisy

For respondents : Mr.P.Rajalakshmi, GA

ORDER

Seeking to issue a mandamus directing the 1st respondent to consider the representation of the petitioner dated 22.08.2014 with regard to issuance of patta, the petitioner is now before this court with this writ petition.

2. The case of the petitioner is that she had purchased the landed property in question from one N.Malathy under a registered sale deed dated 30.06.2009 under Doc.No.1506 of 1999 before the Sub Registrar, Neelankarai. After purchase of the land, she had constructed a house in the land and ever since the purchase she has been in possession and enjoyment of the same. She has also obtained electricity service connection in her name and she has been paying all taxes and dues to the government regularly. In the year 2010, when she had approached the revenue authority for chitta for the purpose of raising bank loan, she was informed that the patta issued in favour of her vendor's vendor got cancelled by the 1st respondent on 04.10.2005 and the 1st respondent directed the Tahsildar, Tambaram, to register the names of the land owners according to the partition deed dated 30.11.1974.

3. According to the petitioner, the further direction given by the 1st respondent to the Tahsildar, Tambram, to take action in this matter and to issue patta to the subsequent purchaser in accordance with law, was not adhered to by the authorities concerned. Though the petitioner made a representation explaining the position on 22.08.2014, the same evoked no response. Hence, the petitioner has no other go except to approach this court by way of this writ petition.

4. Heard both sides and also perused the records carefully.

5. The learned counsel for the petitioner would specifically submit that there is no rival claim or any civil suit pending relating to the property in question.

6. Considering the limited scope of the prayer sought for in the writ petition and the facts and circumstances of the case, without going into the merits of the case, the 1st respondent is directed to consider the representation of the petitioner dated 22.08.2014 after affording sufficient opportunity to the petitioner as well as any of the interested parties on merits and in accordance with law and pass appropriate orders thereon within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to produce all the required documents in support of his claim which shall be considered by the 1st respondent while passing the orders as directed above and the 1st respondent shall also look into his own communication dated 04.10.2005.

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

kmk

Sd/-
Asst.Registrar

/true copy/

To

1.The Special Commissioner and Commissioner of Land
Administration, Chepauk, Chennai 600 005.

2.The District Revenue Officer,Collectorate, Kancheepuram District.

3.The Revenue Divisional Officer,Tambaram Taluk, Kancheepuram.

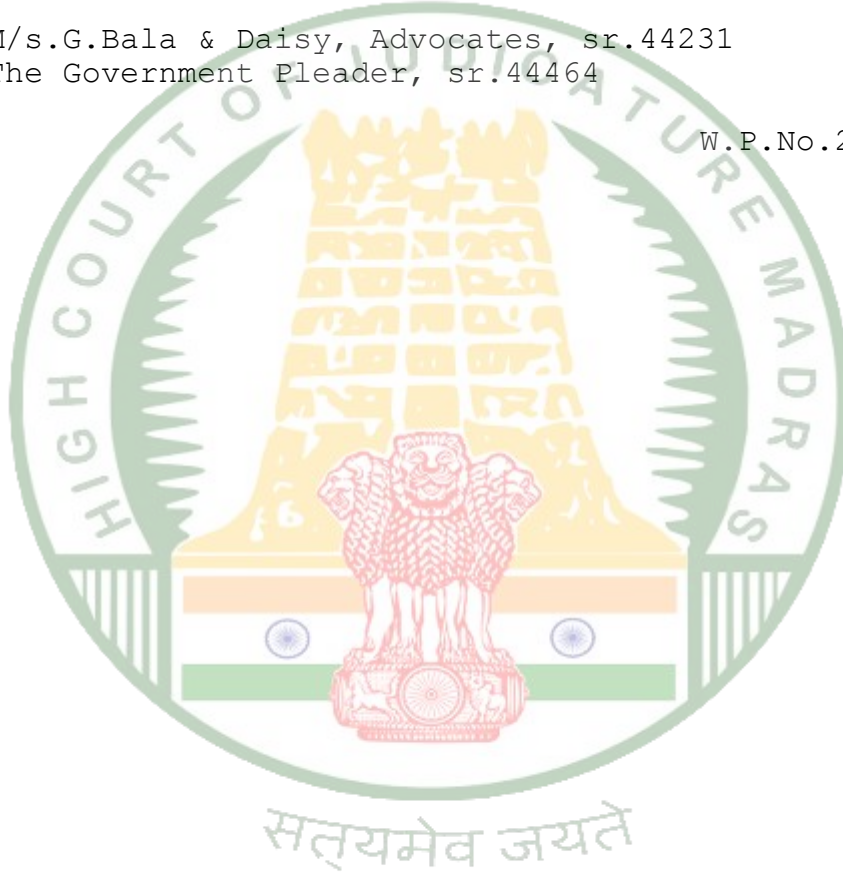
4.The Tahsildar,Sholinganallur Taluk Office,Kancheepuram District.

+1 cc to M/s.G.Bala & Daisy, Advocates, sr.44231

+1 cc to The Government Pleader, sr.44464

W.P.No.25944 of 2002

jsv(co)
kra(31/08)



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