

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

CORAM:

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.26053 of 2015
and M.P.No.1 of 2015

1 R.Padmanabhan [Petitioners]
2 R.Karthikeyan
3 R.Sivanandan

Vs

The State of Tamilnadu
Rep. by Tahsildar
Sholinganallur Taluk
Chennai-600 119. [Respondent]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent to carryout the mutation in the revenue records as per patta no.2960 dated 21.08.2007 issued by Tambaram Taluk Kancheepuram district and as per the petitioners representation dated 26.06.2014 and issue patta to the petitioners.

For petitioners :Mr.K.Elangoo

For respondents :Mr.Dig Vijaya Pandian, AGP

O R D E R

Heard the learned counsel for the petitioners and the learned Additional Government Pleader, who took notice for the respondent and with their consent, the main writ petition itself is taken up for hearing.

2. This writ petition has been filed seeking a direction to the respondent to carryout the mutation in the revenue records as per patta No.2960 dated 21.08.2007 issued by Tambaram Taluk, Kancheepuram district, as per the petitioners representation dated 26.06.2014 and issue patta to the petitioners.

3. It appears that by a registered Settlement Deed dated 12.09.2005, late S.Rajabadhar, father of the petitioners, settled in favour of the petitioners an extent of 46 cents at S.No.103/1A, Perumbakkam Village (then the Tambaram Taluk), present SholinganallurTaluk, bearing Document No.7318 of 2005, registered at

Sub Registrar Office, Tambaram and since then they are in possession and enjoyment of the same. Thereafter, the petitioners also purchased an extent of 75 cents at S.No.103/1B, Perumbakkam Village by a Sale deed dated 12.09.2006 bearing Document No.7292 of 2005, registered at Sub Registrar's Office, Tambaram. Immediately after the above settlement and purchase, the mutation of the revenue records were carried out and the petitioners name were entered in the revenue records of Tambaram Taluk, and patta has also been issued bearing No.2960 dated 21.08.2007. The petitioners father died on 13.12.2008. In the year 2011, Tambaram Taluk has been bifurcated and pursuant to the same, their properties fell within the jurisdiction of the respondent. It is the contention of the petitioners that when they approached the respondent to obtain chitta and adangal for the property, they were informed that all the revenue data stored regarding the property in question by the then Tambaram Taluk has been corrupted and as on date, the computer data in the respondent Taluk does not reflect any detail about the property. Therefore, the petitioners sent a representation dated 04.02.2015 to the Special Cell of the Hon'ble Chief Minister of Tamil Nadu to look into the matter and requested the revenue department to update all the details of the petitioners property in the revenue records, which was also forwarded to the respondent herein. In the meantime, pursuant to the advise, the petitioners also submitted a representation dated 26.06.2014 to the respondent in this regard. The respondent, by letter dated 24.09.2014, called for enquiry along with one Kundhi Ammal, claims to be the wife of late S.Rajabadhar. Though the petitioners appeared for enquiry and submitted all the required documents, the said woman did not appear. However, till date no orders have been passed. Hence, the petitioners are before this Court.

4. Since the representation of the petitioners is not yet disposed of till date, without going into the merits of the matter, the respondent is directed to consider the representation of the petitioner dated 26.06.2014, on merits and in accordance with law, after affording due opportunity to the petitioner as well as any of the interested parties. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above directions. No costs. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

rg

To
The State of Tamilnadu
Rep. by Tahsildar
Sholinganallur Taluk
Chennai-600 119.

+1 cc to Government Pleader, 44682
+1 cc to M/s.Krish Law Associates, sr.44614

W.P.No.26053 of 2015

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