

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.3443 OF 2015

Tmt.Parveen Aara

... Petitioner

Vs.

The Tahsildar
Sholinganaloore Taluk
Kancheepuram District

...Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondent herein to consider the petitioner's representation dated 15.12.2014 within the timeframe to be stipulated by this Court seeking sub-division of the property of the petitioner situated at No.52, Perumbakkam Village, Tambaram Taluk, Kancheepuram District bearing Survey No.442/2 admeasuring to an extent of 20 cents and patta for the same in the petitioner's name.

For Petitioner : Mr.K.Thilagaraj

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.K.Thilagaraj, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondent.

3.The petitioner seeks for a direction to the respondents to consider her representation dated 15.12.2015 and sub-divide the property of the petitioner situated at No.52, Perumbakkam Village, Tambaram Taluk, Kancheepuram District bearing Survey No.442/2, admeasuring to an extent of 20 cents and issue separate patta for the same.

4. In the affidavit filed in support of the petition as well as in the typed-set of papers, the petitioner has not produced copy of the patta issued in favour of the petitioner's vendor. The petitioner has produced only a sale deed dated 04.11.2004. Further, in the representation given by the petitioner dated 21.07.2008, the petitioner would state that she has been in possession and enjoyment of the property in question. Therefore, unless and until the petitioner produces the patta issued in favour of the petitioner's vendor, the respondent cannot take any action in the representation given by the petitioner.

5. In the light of the above, the writ petition is disposed of directing the petitioner to give a fresh representation to the respondent enclosing the copies of the documents to prove her title including the patta issued in favour of the petitioner's vendor and if the same is furnished, the respondent shall consider the same on merits and in accordance with law as expeditiously as possible. No costs.

Sd/
Asst. Registrar

/true copy/

Sub Asst. Registrar

gpa

To

The Tahsildar
Sholinganloor Taluk
Kancheepuram District

+ 1 cc to the Government Pleader High Court, Madras-600 104 sr.7665

+ 1 cc to M/s. r.K.Thilagaraj, Advocate sr.7508

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MP[CO]
RR 21/02/2015

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