

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.35049 of 2015

V.Munusamy

..Petitioner

Vs.

The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai-600 045

..Respondent

This petition is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioner's application dated 09.10.2015 with annexure thereto in accordance with law and pass orders to sub divide the land and issue a separate patta in the petitioner's name for the land admeasuring 0 acres 80 cents situated at S.No.435/3, Perungalathur Village, Tambaram Taluk, Kanchipuram District, within time stipulated by this Court.

For Petitioner : Mr.G.Rajesh

For Respondent : Mr.M.Dig Vijayapandian,
Addl.Govt.Pleader

ORDER

Heard Mr.G.Rajesh, the learned counsel for the petitioner and Mr.M.Dig Vijayapandian, learned Additional Government Pleader, who accepts notice on behalf of the respondent and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner seeks for issuance of a writ of mandamus to direct the respondent to consider his application for grant of patta, said to have been submitted on 9.10.2015.

3. As rightly pointed out by the learned Additional Government Pleader, the petitioner has not produced any patta to establish that his predecessors, namely, his mother or his grandfather were in lawful possession of the property and how they got the patta. Therefore, unless and until the petitioner approaches the authority with all the documents, the question of directing the authority to consider the same cannot be issued.

4. Accordingly, while declining to grant the relief sought for in the writ petition, liberty is given to the petitioner to approach the respondent with all documents to show that his mother or grandfather were in lawful possession of the property and those documents are in the nature of revenue records and on receipt of the same, the respondent shall consider the petitioner's application, dated 9.10.2015 and pass orders on merits and in accordance with law within a period of eight weeks thereafter.

5. The writ petition is disposed of accordingly. No costs.
Msk

Sd/-
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai-600 045

+2 C.Cs. To Mr.G.Rajesh, Advocate in SR.NO.60466

+1 C.C. To Government Pleader in SR.NO.60121

W.P.No.35049 of 2015

KSJ(CO)
sd : 17/11/2015

सत्यमेव जयते

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