

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7619 of 2015

1.Surapaneni Jayaprakash
2.Mrs.Surapaneni Girija Kumari
3.Perumbeti Samatha Kumari
4.Yenigalla Bharatha Laxmi
5.Nagesh Kumar Yelamanchali

...Petitioners

Versus

The Tahsildar
Maduravoyal Taluk
Maduravoyal.

...Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondent herein to dispose of the petitioners representation dated 05.01.2015 for grant of patta and transfer the revenue records in respect of the property in No.92, Noombal Mathura Pallikuppam village, Saidapet Taluk, Chengalpattu District comprised in survey No.110/4, measuring 5.50 cents in the name of the petitioners 2 to 5 herein.

For Petitioners : Mr.J.Pothiraj

For Respondent : Mr.R.A.S.Senthilvel

ORDER

Heard Mr.J.Pothiraj, learned counsel for the petitioners and Mr.R.A.S.Senthil Vel and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner has filed the above writ petition to direct the respondent herein to dispose of the petitioners' representation dated 05.01.2015 for grant of patta and transfer the revenue records in respect of the property in No.92, Noombal Mathura Pallikuppam

village, Saidapet Taluk, Chengalpattu District comprised in survey No.110/4, measuring 5.50 cents in the name of the petitioners 2 to 5 herein.

3.The 1st petitioner, who is the husband of the 2nd petitioner, is the Power Agent of petitioners 2 to 5 who are the legal heirs of [Late] Y.V.Subba Rao and Mrs.Kusuma Kumari. The property in question was purchased by the mother of the petitioners 2 to 5 and since her demise, the husband of Mrs.Kusuma Kumari and the petitioners 2 to 5/legal heirs, inherited the property. Subsequently, the father of the petitioners 2 to 5 died on 01.04.2007 and since then, the petitioners 2 to 5 were in enjoyment and possession of the subject property. It is the further case of the 1st petitioner that petitioners 3 to 5 are residing in USA. In respect of another property situated in Andra Pradesh, the said lands of the petitioners 2 to 5 were acquired by the Government of Andra Pradesh and compensation was also awarded and the learned I Senior Civil Judge, Hyderabad, in OP.No.58/2012 has issued the Succession Certificate in favour of the petitioners 2 to 5, establishing that petitioners 2 to 5 are the legal heirs of [late] Y.V.Subba Rao and Kusuma Kumari. Since the petitioners 2 to 5 are not in a position to develop the property in question at Chennai, they decided to sell the subject property and share the sale proceeds among themselves and for that purpose, they appointed the 1st petitioner as their Power Agent, to obtain patta, chita, adangal and other revenue records in their names. In this regard, the 1st petitioner has submitted a representation on 05.01.2015 to the respondent for grant of patta in the names of the petitioners 2 to 5 and for making changes in the revenue records. Since no action has been taken on the said representation by the respondent, the petitioner is before this Court by way of filing this writ petition with the aforesaid prayer.

4.In the light of the above, taking note of the fact that there appears to be no rival claims for grant of patta, the respondent is directed to consider the petitioners' claim vide representation dated 05.01.2015, after issuing notice to the petitioners and hearing them in person or through their authorised representative and pass orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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5.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

AP

To

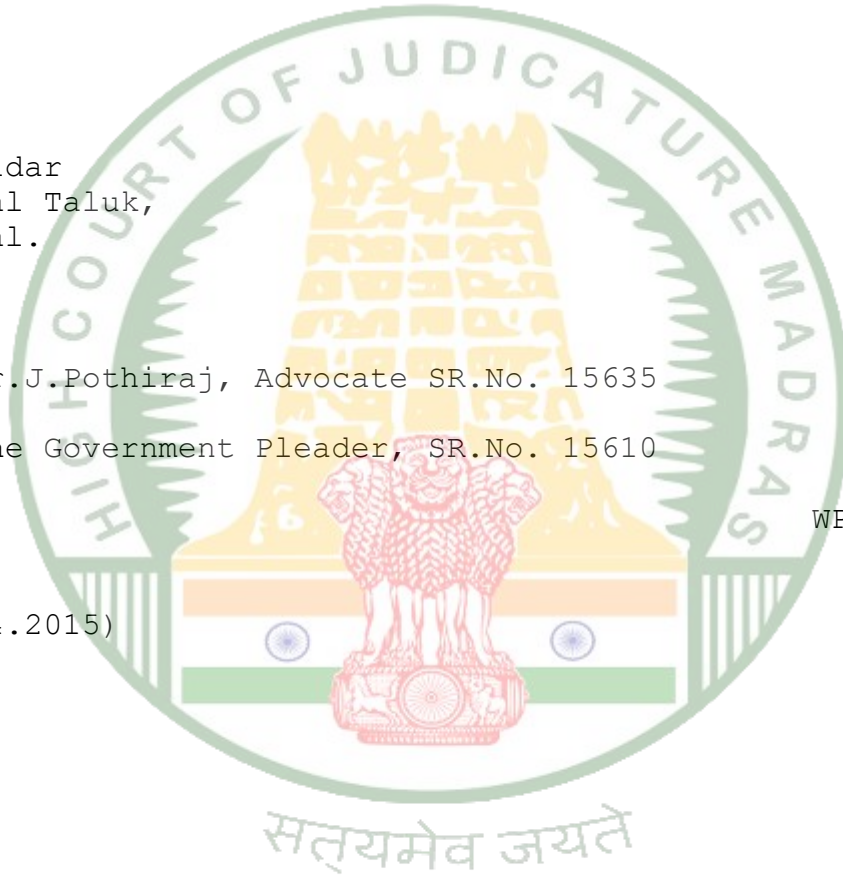
The Tahsildar
Maduravoyal Taluk,
Maduravoyal.

1 CC to Mr.J.Pothiraj, Advocate SR.No. 15635

1 CC to the Government Pleader, SR.No. 15610

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CNR (CO)
PSI (01.04.2015)



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