

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.13208 of 2013

S.Thangavel Nadar

... Petitioner

Vs.

The Tahsildar,
Mylapore Triplicane Taluk,
Chennai-600 028.

... Respondent

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to issue patta for the remaining 1/3rd share comprised under S.No.1280/1, 2 and 3, Block No.26, Triplicane Village, Mylapore-Triplicane Taluk, Chennai District to the petitioner.

For Petitioner : Mr.A.Raman

For Respondent : Mr.V.Subbiah, Spl. Govt. Pleader

O R D E R

Claiming right over the 1/3rd share comprised under S.No.1280/1, 2 and 3, Block No.26, Triplicane Village, Mylapore-Triplicane Taluk, Chennai District, the petitioner made a request for issuance of patta through legal notice dated 14.02.2013. For non consideration of the said request, the petitioner has come forward with the present writ petition.

2.Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

3.Though the petitioner has made reliance upon number of proceedings, this Court is not willing to go into them. The question remains is that whether the petitioner is entitled for the title or not. It is a matter to be considered by the respondent. Thus, suffice it for this Court to direct the respondent to look into the legal notice issued by the petitioner dated 14.02.2013 and take appropriate action as per

law. Taking into consideration the pendency of the legal notice for more than 2 ½ years, the petitioner is also directed to give representation afresh within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent shall pass appropriate orders within a period of eight weeks thereafter, after due notice to the petitioner and third parties who have any interest over the said property.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

DP
To

The Tahsildar,
Mylapore Triplicane Taluk,
Chennai-600 028.

+1 cc to M/s.A.Raman Advocate sr.65761
+1 cc to the Government Pleader sr.65971

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