

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.14800 of 2012  
and M.P.No.1 of 2014

S.A.GURUMOORTHY

[ PETITIONER ]

Vs

THE TAHSILDAR  
FORT-TONDIARPET CHENNAI-3.

[ RESPONDENT ]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to grant the petitioner patta for the land comprised in R.S.No.3945/1 (part) Door No.409 & 410 27th Link Street V.O.C. Nagar Tondiarpet Chennai-81 of the total extent of 224 sq.mt. (2250 sq.ft. approximately).

For Petitioner : Mr.A.Venkatesan

For Respondents : Mr.R.Lakshminarayanan, AGP

ORDER

Heard Mr.A.Venkatesan, learned counsel for the petitioner and Mr.R.Lakshminarayanan, learned Additional Government Pleader for the respondent and with their consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has filed this writ petition seeking a writ of mandamus to direct the respondent to grant him patta for the land comprised in R.S.No.3945/1 (part) Door No.409 & 410, 27th Link Street, V.O.C. Nagar, Tondiarpet, Chennai-81, of the total extent of 224 sq.mt. (2250 sq.ft. approximately).

3. The petitioner would state that he is the owner of the property in Door No.409 & 410, 27th Link Street, V.O.C. Nagar, Tondiarpet, Chennai-81 and he is said to have acquired title to the property pursuant to a Will executed by his paternal uncle Late D.S.Moorthy dated 31.10.2000. The petitioner's paternal uncle is said to have been allotted the property by the Slum Clearance Board

under a sale deed executed in favour of his paternal uncle vide document No.2134 of 1999. The petitioner claims to have become the absolute owner of the property after the demise of his paternal uncle and traces title to the property through Will, after he obtained an order of probate from this Court in O.P.No.546 of 2010. With these facts, the petitioner has filed an application for grant of patta. The property tax assessment has been transferred in the name of the petitioner based on the order passed in the probate petition. Similarly, electricity service connection also stands in the name of the petitioner. Now, the petitioner seeks for grant of patta. In this regard, an application was given to the Tahsildar on 09.01.2012, followed by a representation dated 21.02.2012, which has been received by the Tahsildar on the same day vide department seal.

4. In the light of the above, without going into the merits of the claim made by the petitioner, there will be a direction to the respondent to consider the petitioner's application dated 09.01.2012 and the reminder dated 21.02.2012, verify the documents by directing the petitioner to appear in person and after examining all the records, if found to be correct shall grant patta in favour of the petitioner. The above exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rg  
To

THE TAHSILDAR  
FORT-TONDIARPET CHENNAI-3.

1 cc to Government Pleader, Sr.No21108

mg (co)  
pmk.23.2.2015

WP.No.14800 of 2012

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