

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12659 of 2016

E.Raghu

... Petitioner

Vs.

The Tahsildar
Thirukazhukundram Taluk,
Thirukazhukundram,
Kancheepuram District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 26.11.2015 with regard to transfer of separate patta in favour of the petitioner within a stipulated time as fixed by this Hon'ble Court.

For Petitioner : Mr.D.Nandagopal

For Respondent : Mr.V.S.Ramesh

Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 26.11.2015 with regard to transfer of separate patta in favour of the petitioner within a stipulated time as fixed by this Court.

3.In the petition it has been stated that the petitioner inherited the property bearing house site comprised in old S.No.139/126, New S.No.183/24 admeasuring an extent of 4785 Sq.ft., situated at No.76, Bazzar Street, Sathurangapattinam, Thirukazhukundram Taluk, Kancheepuram District under the deed of partition dated 29.04.2015 and registered as Document No.2659 of 2015 in the office of the Sub Registrar, Thirukazhukundram and

he is in possession and enjoyment of the same.

4.It is further stated that the property originally belonged to the petitioner's father late.Ethiraj Pillai and after the death of his father, the said property has been partitioned among the legal heirs. Thereafter, the other owners sold their respective shares to the petitioner receiving the consideration at the time of partition.

5.It is further stated that even after the death of the petitioner's father, all the documents namely, joint patta, chitta, adangal and kist receipt is standing in the joint name of his father and his father's brother. Hence, the petitioner could not develop the property. Therefore, the petitioner made a representation on 26.11.2015 to the respondent requesting to issue separate patta in respect of the said property. But, the same has not been considered so far. Hence, the petitioner has come forward with this petition.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate.

7.This Court without going into the merits of the claim projected by the petitioner, directs the respondent to consider the representation of the petitioner dated 26.11.2015 and pass appropriate orders on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

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To

1.The Tahsildar
Thirukazhukundram Taluk, Thirukazhukundram,
Kancheepuram District.

+1 cc to Mr.D.Nandagopal, Advocate, sr.21395

W.P.No.12659 of 2016

ks co, kra 25.04.2016