

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13641 of 2016

1.Mrs.Padmasankari
2.Mrs.Sujatha
3.Mr.Balachandran
4.Mrs.Girija

... Petitioners

Vs.

The Tahsildar,
Tambaram Taluk,
Tambaram.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent herein to consider the representation of the petitioner dated 28.04.2014 and direct the respondent to issue joint patta as prayed for in the representation.

For Petitioners : Mr.B.R.Shankaralingam

For Respondent : Mr.M.Dig Vijaya Pandian
Additional Government Pleader

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 the representation of the petitioner dated 28.04.2014 and to issue joint patta.

3.In the petition it has been stated that the vacant land measuring an extent of 50 cents situated at Perunkalathur Village, Tambaram Taluk, Kancheepuram District comprised in Survey No.425/1, was originally purchased by the petitioners' parents vide sale deed dated 26.05.1962 registered as Document No.1315 of 1962 in the office of the Sub Registrar, Tambaram and they were in absolute possession and enjoyment of the same. The petitioners' parents died intestate leaving behind the petitioners as their legal heirs to succeed the property

purchased by them and the petitioners' became the joint owners of the property and are equally entitled for the same. Hence, the first petitioner on behalf of all the petitioners submitted application for issuance of joint patta to the respondent and it was duly acknowledged by the respondent vide reference 1492 dated 28.04.2014. Thereafter, reminder was also sent by the petitioners 1 and 3 to the Chief Minister's Special Cell on 09.01.2015 and thereafter, the third petitioner on behalf of all the petitioners also sent email request to the Collector, Kancheepuram on 08.02.2016, which was acknowledged and duly forwarded to the respondent vide reference TP/16/01888. Even then, the respondent has not issued joint patta in favour of the petitioners. Hence, the petitioners have come forward with this petition.

4. Heard the submissions of the learned counsel appearing for the petitioners and the learned Additional Government Pleader.

5. This Court without going into the merits of the claim made by the petitioners, direct the petitioners to give a copy of the representation dated 28.04.2014 along with a copy of this order to the respondent within a period two weeks from the date of receipt of a copy of this order and the respondent on receipt of the same, is directed to consider the same and pass appropriate orders, on merits and in accordance with law, after affording opportunity of personal hearing to the petitioners within a period of eight weeks thereafter.

6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioners. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//सत्यमेव जयते

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Sub Assistant Registrar

To

The Tahsildar,
Tambaram Taluk,
Tambaram.

+1cc to Mr.B.R.Shankaralingam, Advocate, S.R.No.23268
+1cc to the Government Pleader, S.R.No.23481

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KK(CO)
CA(29/04/2016)