

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1709 of 2016
and
W.P.M.P.No.1483 of 2016

Mrs.Gracy Mathew

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep by Secretary to Government
Department of Revenue Administration
Fort St. George, Chennai-9.
2. The District Collector,
Kancheepuram
3. The Tahsildhar
Tambaram, Chennai-45

... Respondents

PRAYER : Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to make corrections in the Patta No.2399 in the permanent land register situated at the office of Tahsildhar, Tambaram in respect of Survey No.256/1A1A4, Plot No.16, bearing Door No.2, 1st Street, Bharathi Nagar, Perungalathur Village, Chennai-600 063, Tambaram Taluk, Kancheepuram district in so far as it relates to the petitioner.

For Petitioner : Mr.V.Balasubramanian
for M/s.Balasubramanian Associates

For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up for final disposal at the time of admission itself.

2. The prayer sought for in the Writ Petition is to direct the third respondent to make corrections in the Patta No.2399 in the permanent land register situated at the office of

Tahsildhar, Tambaram in respect of Survey No.256/1A1A4, Plot No.16, bearing Door No.2, 1st Street, Bharathi Nagar, Perungalathur Village, Chennai-600 063, Tambaram Taluk, Kancheepuram district in so far it relates to the petitioner.

3. The petitioner would state that she is the owner of the property situated at No.2, 1st Street, Bharathi Nagar, Perungalathur, Chennai - 63 by virtue of a sale deed dated 21.10.2004. She further stated that she has constructed a house and she has been living therein. While so, some of the persons made rival claim. Therefore, she filed a suit in O.S.No.252 of 2009 before the Sub Court, Tambaram for declaration of title and injunction. The suit was also decreed on 21.08.2013. Since no appeal has been filed, the decree has attained finality.

4. The petitioner would further claim that the decree of the Civil Court was also registered in Sub Registrar Office, Padappai on 31.07.2014 vide document No.252 of 2009. Thereafter, she made an application on 27.10.2015 to the third respondent for corrections by issuing patta in her name. Since it was not considered, the present writ petition has been filed.

5. Heard the submissions of Mr.V.Balasubramanian learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

6. This Court, considering the facts and circumstances of the case and without going into the merits, directs the third respondent to consider the application of the petitioner dated 27.10.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

arr/sms

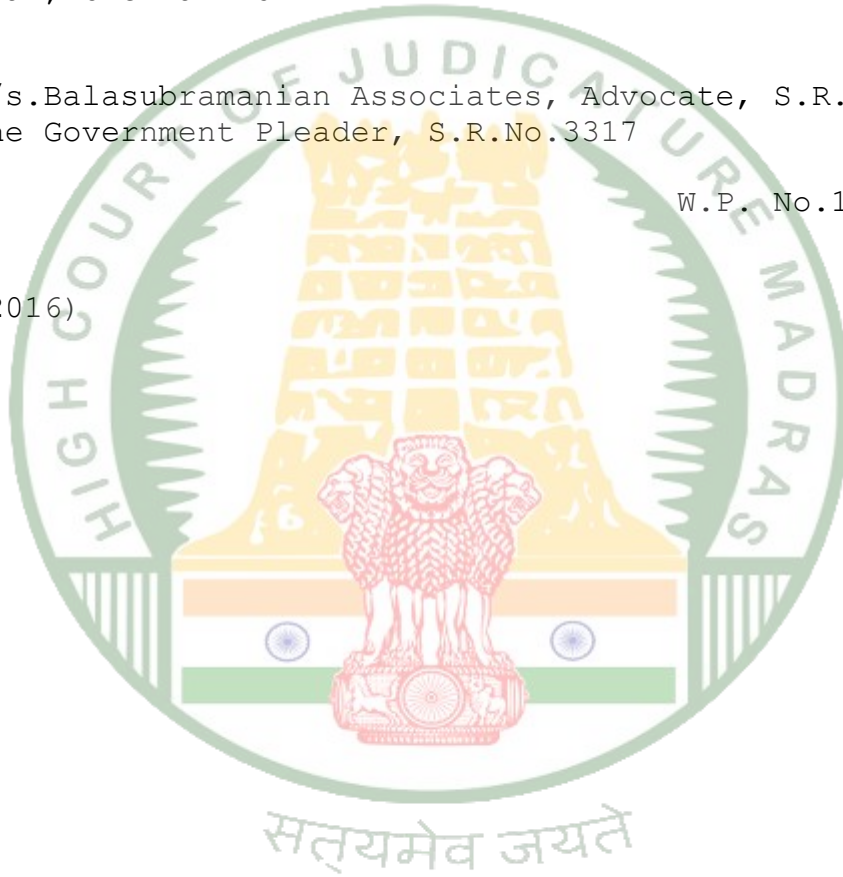
To

1. The Secretary to Government
Department of Revenue Administration
Fort St. George, Chennai-9.
2. The District Collector,
Kancheepuram
3. The Tahsildhar
Tambaram, Chennai-45

+1cc to M/s.Balasubramanian Associates, Advocate, S.R.No.3089
+1cc to the Government Pleader, S.R.No.3317

W.P. No.1709 of 2016

CNR(CO)
CA(10/02/2016)



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