

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.27998 of 2015

James Richard Royle

... Petitioner

vs.

1.The District Collector/
District Revenue Officer,
Vellore District,
Vellore.

2.The Tahsildar,
Arakkonam,
Vellore District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to issue patta in the name of the petitioner by cancelling the UDR Patta which stands in the name of late Ms.Carmine Diana Williamson as per the correspondence dated 14.08.2015.

For Petitioner : Mr.R.Balasubramanian

For Respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to issue patta in his name by cancelling the UDR Patta, which stands in the name of one late Carmine Diana Williamson, as per the correspondence dated 14.08.2015.

2. It is the case of the petitioner that as he is the only surviving legal heir, he is in absolute possession and enjoyment of the property situated at Royal Bungalow, Puliymangalam Village, Arakkonam Taluk, Vellore District in S.No.209/A2 by way of inheritance. The said property was left in the hand of his maid servant by name Carmine Diana Williamson, who is a spinster, for looking after the same. Since the said

property was in dilapidated condition, the petitioner wanted to renovate the same and he transferred the EB connection and property tax in his favour in respect of the property. But, due to inadvertent mistake, UDR patta stands in the name of his servant maid viz., Carmine Diana Williamson, who died on 18.09.2004. Therefore, he sent a letter to the respondents through his counsel on 14.08.2015 for issuance of UDR patta in his favour. However, till date, no order has been passed by the respondents. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court permits the petitioner to submit a fresh representation along with necessary documents in support of his claim for issuance of patta to the respondents within a period of two weeks from the date of receipt of a copy of this order. On filing of such representation, the respondents shall consider the same, by affording an opportunity of personal hearing to the petitioner as well as other necessary parties, if any and pass appropriate orders within a period of twelve weeks thereafter. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to pass appropriate orders purely on merits and in accordance with law.

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

Sd/-
Assistant Registrar(CS II)

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सत्यमेव जयते

Sub Assistant Registrar

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To

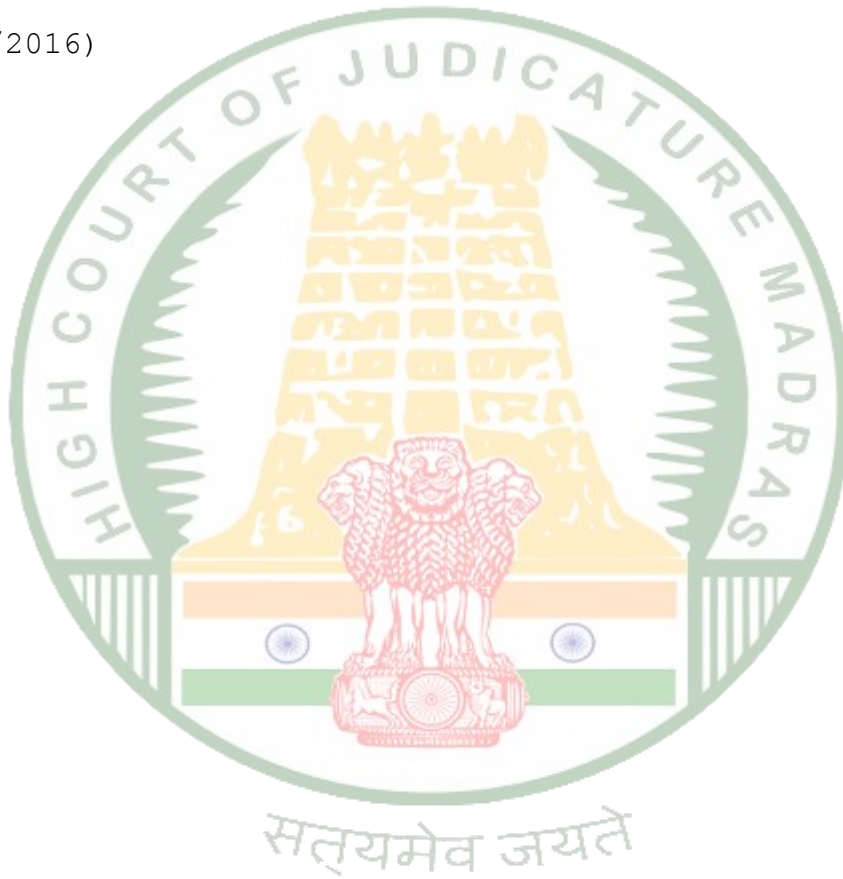
1.The District Collector/
District Revenue Officer,
Vellore District,
Vellore.

2.The Tahsildar,
Arakkonam,
Vellore District.

+lcc to Mr.R.Balasubramanian, Advocate, S.R.No.10039
+lcc to the Government Pleader, S.R.No.10224

W.P.No.27998 of 2015

jp(CO)
srg(22/02/2016)



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