

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27979 of 2016

K.Domodaram

... Petitioner

Vs.

- 1 The District Collector of Vellore,
Collectorate,
Sathuvachari, Vellore.
- 2 The Thasildhar of Arakkonam,
Taluk Office,
Arakkonam,
Arakkonam Taluk,
Vellore District.
- 3 The Village Administrative Officer,
Arakkonam,
Arakkonam Taluk,
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 30-06-2016 and further direct the 2nd respondent to issue a separate patta in petitioner's name to the properties situated in Dry.S.F.No.231/2, in Town S.No.50/2, in Old Door No.64, New Door No.26, Nehruji Nagar, 4th Street, Arakkonam Town, Vellore District.

For Petitioner : Mr.A.Gowthaman
For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

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

2.The petitioner would state that the property situated in Dry.S.F.No.231/2, in Town S.No.50/2, in Old Door No.64, New Door No.26, Nehruji Nagar, 4th Street, Arakkonam Town, Vellore District, originally belonged to one Alamelu Ammal, who purchased the same through a registered sale deed, dated 06.06.1974 and subsequently, the survey number has been assigned as Town S.F.No.50/2 and from the said person, the mother – in – law of the petitioner had purchased the same, through a registered sale deed, dated 31.08.1987 and according to the petitioner, ever since the date of purchase, his mother – in – law was in peaceful possession and enjoyment of the same and further, according to the petitioner, in the Schedule of property, instead of mentioning S.No.50/2, it was wrongly mentioned as S.No.52 and in this regard, a certificate was also issued by the Sub-Inspector of survey, vide, proceedings dated 22.05.2015.

3.The petitioner would further state that his mother – in – law had executed a settlement deed, dated 21.06.1990, in favour of his

wife and it is registered as document no.1036/1990 on the file of the Joint-2 Sub Registrar, Arakkonam and from that date onwards, his wife is in peaceful possession and enjoyment of the same, without interruption from anybody. The wife of the petitioner in turn executed a registered gift deed dated 13.11.1997, bearing document no.1666/1997 and thereafter, the petitioner has approached the second respondent for issuance of separate patta in the form of application/ representation dated 30.06.2016 and though, it was received and acknowledged on 05.07.2016, no orders have been passed and hence, came forward to file this writ petition.

4.Heard the submissions of Mr.A.Gowthaman, learned counsel appearing for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5.Though, the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's application/ representation dated 30.06.2016, in accordance with law and after putting on notice, the persons concerned, if any, pass orders, within a period of ten weeks

M.SATHYANARAYANAN,J.

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from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned.

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

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Index: Yes/ No

Internet: Yes/ No

To

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