

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.28479/2016

1.N.Perumal
2.Thulukannammal @ Mariayyai
3.Arumugam
4.Nagammal
5.Alangaram
6.Manimegalai
7.Nedinchelian ... Petitioners
(A1 to A7 duly represented by their
Power of Attorney and Agent E.Kanagasabai)

Vs.

The Tahsildar
Thirupporur Taluk Office
Thiruporur, Chennai,
Tamil Nadu 600 119. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondent to take necessary steps to transfer the patta for the Schedule mentioned property in the name of the legal heirs of late Nagappan, namely, [1]Mr.N.Perumal S/o.Late.Nagappan ; [2] Mrs.Thulukannammal @ Mariayyai, D/o.Late.Nagappan ; [3] Mr.Arumugam, S/o.Late.Nagappan ; [4] Mrs.Nagammal D/o.Late.Nagappan ; [5]Mrs.Alangaram, D/o.Late.Nagappan ; [6] Mrs.Manimegalai, D/o.Late.Nagappan ; and [7] Mr.Nedinchelian, S/o.Late.Nagappan within a specified period fixed by this Court.

For Petitioners : Mr.Veangali Prakash Raj
For Respondent : Mr.A.N.Thambidurai, Spl.GP

O R D E R

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

2 The deponent of the affidavit claims to be the Power of Attorney agent of the petitioners. According to them, the landed property admeasuring to an extent of 1.82 acres comprised in Old S.No.417, originally belongs to one Nagappan, S/o.Mr.Aslan, through a registered Sale Deed bearing Document No.572/1959 dated 07.05.1959 and was in possession and enjoyment of the same and he was also issued with Patta No.316, new Sub Division No.417/1A1A1 by the Zonal Deputy Tahsildar, Chengalpattu. It is further stated by the petitioners that the said Nagappan died intestate on 25.06.1974 and the petitioners being the legal heirs, succeeded to the estate and through the Power of Attorney agent, they submitted an application for issuance of computerised patta and chitta vide application dated 22.12.2010 and since no orders have been passed, they have come up with the present writ petition.

3 Heard the submissions of the learned counsel appearing for the petitioners and Mr.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the respondent, who would submit that admittedly an application has been submitted by one Ragunathan, S.O.E.Kanagasabai and it is nowhere stated that he is acting on behalf of the petitioners and in the light of the same, the Tahsildar, cannot pass any orders.

4 This Court heard the rival submissions and also perused the materials placed before it.

5 Though the petitioners have 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, permits the petitioners to submit one more representation/application to the respondent praying for issuance of computerised patta and chitta along with a copy of this order and on payment of necessary fees within a period of 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 said representation / application in accordance with law, after putting on notice, the person/s concerned and pass orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioners as well as to the person/s concerned.

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

Sd/-
Assistant Registrar(CS II)

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Sub Assistant Registrar

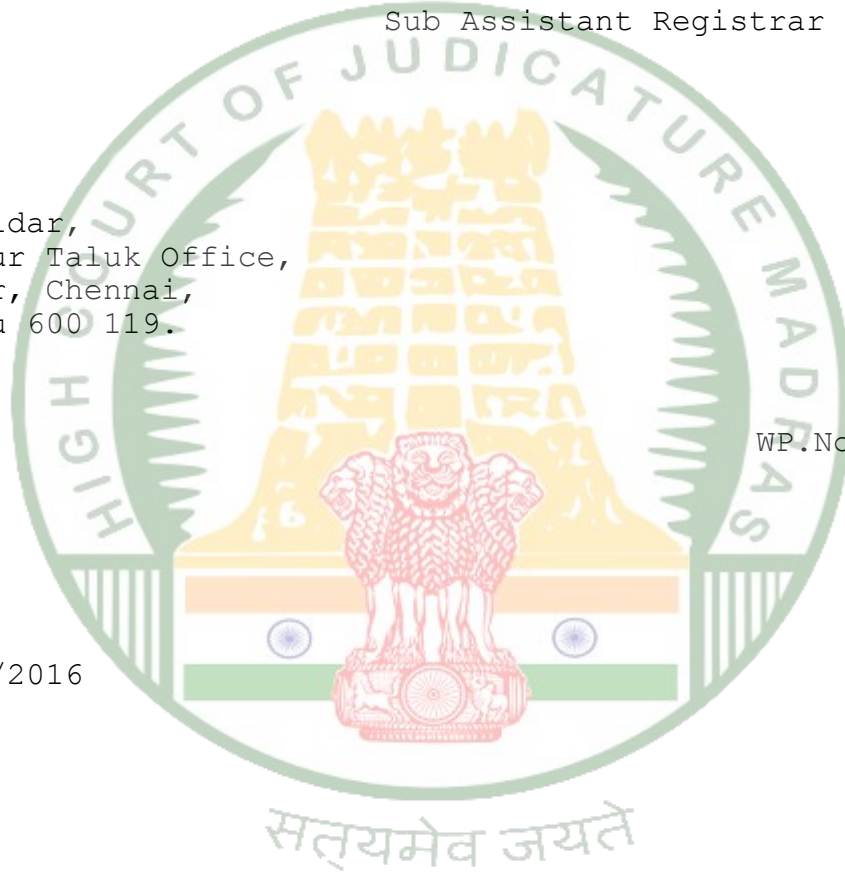
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To

The Tahsildar,
Thirupporur Taluk Office,
Thiruporur, Chennai,
Tamil Nadu 600 119.

WP.No.28479/2016

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