

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2016

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29707 of 2016

V.Shanmugam

... Petitioner

Vs.

The Tahsildar,
Sholinganallur Taluk Office,
Sholinganallur,
Chennai.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to issue patta in favour of petitioner.

For Petitioner : Mr.A.Muruganandam
For Respondent : Mr.Era Premnath
Government Advocate

O R D E R

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

2.The petitioner claims to be the owner of the property at Plot No.4, Survey No.339/4 in Medavakkam, Chennai – 600 100 through a registered sale deed bearing document no.4390/2002 dated 16.09.2002, registered on the file of the Office of the Sub Registrar, South Madras and claims to be in peaceful possession and enjoyment

of the same and the said property is also subject to statutory levies. The petitioner had applied for transfer of patta vide application dated 23.09.2015 and it was also acknowledged by the respondent vide acknowledgement slip, dated 26.09.2015 and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that though nearly one year had elapsed, the respondent did not choose to pass any orders and therefore, the petitioner is constrained to approach this Court by filing this writ petition.

4.This Court also heard the submissions of Mr.Era Premnath, learned Government Advocate who accepts notice on behalf of the respondent and would submit that necessary instructions would be given to the respondent to pass orders at the earliest.

5.The Secretary to Government, Revenue Department, Secretariat, Chennai – 600 009, vide letter no.18294/SS.I(1)/2015-2, dated 26.05.2015 has directed all the District Collectors with regard to the delay in passing orders for transfer of patta by inviting their attention to G.O.(Ms) No.210, Revenue (SS1(1)) Department, dated 08.07.2011 and directed the District Collectors to issue copy to all

Officials concerned at Taluk/ Division Level under their control, to comply with the orders issued in the above cited Government Order while considering the application for name transfer and further indicated that, failure to comply with the said order, necessary disciplinary action will be initiated against the erring officers by the concerned authority.

6.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 respondent to consider and dispose of the petitioner's application/ representation dated 23.09.2015, in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

26.08.2016

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Index: Yes/ No Internet: Yes/ No

Note: Registry is directed to mark a copy of this order to the District Collector, Kancheepuram District – for information and necessary action in the light of the above said communication of the Secretary to Government, Revenue Department, Secretariat, Chennai – 600 009.

M.SATHYANARAYANAN,J.
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To

- 1.The District Collector,
Kancheepuram District.
- 2.The Tahsildar,
Sholinganallur Taluk Office,
Sholinganallur,
Chennai.

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