

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.9.2016

CORAM :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.32968 of 2016

T.J.Emarose

...Petitioner

Vs

The Tahsildar, Poonamallee Taluk,  
Poonamallee, Chennai-56.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent namely the Tahsildar, Poonamallee Taluk to change the correct measurement as 3,926 sq.ft in new survey No.459/10, grama natham as per the document in the petitioner's patta pass book No.314 and other revenue records in favour of the petitioner.

For Petitioner : Mr.R.Lokeshwaran

For Respondent : Mr.P.Chinnadurai, GA

ORDER

Mr.P.Chinnadurai, learned Government Advocate accepts notice for the respondent. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The grievance of the petitioner is that the property in question originally belonged to his father, who was having a valid patta. After his demise, the petitioner and his sister entered into a partition cum release deed dated 25.10.2004 registered as doc.No.1885 of 2004 on the file of the Sub-Registrar, Poonamallee. Based on such a document, the petitioner sought patta in his name. His request was considered and patta was issued vide proceedings in R.P.T.No.8034/2012 dated 11.10.2012 by the Zonal Deputy Tahsildar, Poonamallee Taluk, Tiruvallur District. Only recently, the petitioner came to know that the extent mentioned in the patta is incorrect, as, even according to the release deed, the petitioner is entitled to the property measuring an extent of 3,926 sq.ft. In this regard, a representation has also been given to the respondent, which is still pending. Along with the said representation, the petitioner has also enclosed requisite application.

3. In the light of the above, the writ petition is disposed of with a direction to the respondent to consider the representation of the petitioner dated 2.9.2016 on merits, issue notice to all concerned and take a decision and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar(CS IV)

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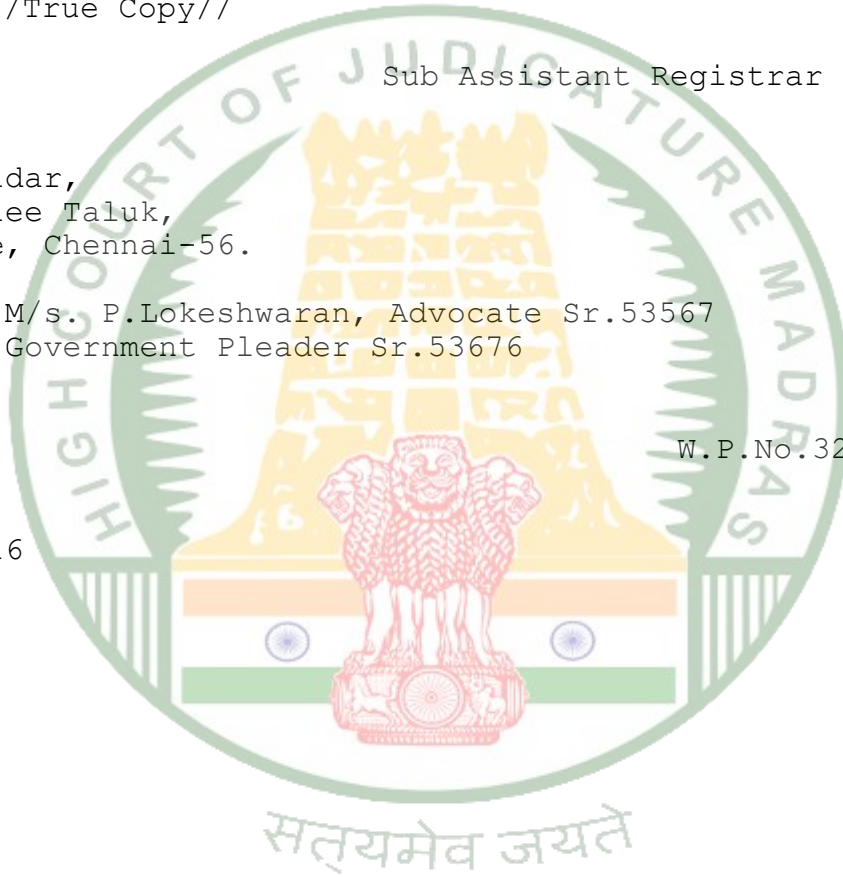
Sub Assistant Registrar

To  
The Tahsildar,  
Poonamallee Taluk,  
Poonamallee, Chennai-56.

+ 1 cc to M/s. P.Lokeshwaran, Advocate Sr.53567  
+ 1 cc to Government Pleader Sr.53676

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CTR(CO)  
Eu 28.09.16



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