

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.33868 of 2016

Mr.R.V.Deenadayalan

.. Petitioner

vs.

The Tahsildar
Velachery Taluk,
Taramani, Chennai-113.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Tahsildar, Velachery Taluk, Taramani, Chennai-600 113, to dispose of the application of the petitioner dated 01.08.2016 for issuance of Patta in S.No.71 admeasuring 1407 Sq.ft in Pillayar Koil Street, Madhavaram and issue patta within a stipulated time.

For Petitioner : Mrs.G.Sridevi

For Respondent : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

This Writ Petition has been filed praying for a Mandamus directing the Tahsildar, Velachery Taluk, Taramani, Chennai-600 113, to dispose of the application of the petitioner dated 01.08.2016 for issuance of Patta in S.No.71 admeasuring 1407 Sq.ft in Pillayar Koil Street, Madhavaram and issue patta within a stipulated time.

2. The case of the petitioner is that his father Mr.Vedachala Naicker was the absolute owner and in uninterrupted possession and enjoyment of the land admeasuring 1407 Sq.ft comprised in S.No.71, Block No.11 in Pillayar Koil Street in Maduvankarai, situated within the Sub-Registration District of Velachery and though the petitioner's father settled the above mentioned property to the petitioner herein, by a will and registered as Doc.No.43/97 dated 27.10.1997 before the SRO, Velachery. Later on, to his shock and surprise, the settlement deed executed by the petitioner's father was unilaterally cancelled, vide Doc.No.1496 of 1999 dated 22.05.2009. Therefore,

the petitioner earlier filed W.P.No.5595 of 2016 and this Court, vide order dated 27.04.2016 has allowed the writ petition and in pursuant to the same, the Sub-Registrar deleted the cancellation of Settlement Deed from 'A' register and the same is also reflected in the Encumbrance Certificate. Thereafter, the petitioner made an application to the respondent for issuance of patta on 01.08.2016 and inspite of repeated request and personal visit to the Taluk office, no response was forthcoming and hence, came forward with this writ petition.

3. Heard both sides and perused the entire materials placed before it.

4. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioner's application/representation dated 01.08.2016 for issuance of patta and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

jvm

To

The Tahsildar
Velachery Taluk,
Taramani, Chennai-113.

+1cc to M/S.G.Sridevi, Advocate sr.64844
+1cc to the Government Pleader Sr.64631

W.P.No.33868 of 2016

cnr[co]
srg 08/12/2016