

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3660 of 2016

S.Govindasamy

... Petitioner

vs.

1. The District Collector,
Collectorate of Tiruvallur District,
Tiruvallur District.

2. The Tahsildar,
Uthukottai Taluk Office,
Uthukottai,
Tiruvallur District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the representation of the petitioner dated 27.04.2015 for transferring the patta in the name of the petitioner with respect of his father's property bearing dry land in R.S.No.67/2 to an extent of 2 acres 0.05 cents situated at Katchur Village, Uthukottai Taluk, Tiruvallur District within stipulated period of time.

For Petitioner : Mr.A.Thamizharasan

For Respondents : Mr.V.Jayaprakash Narayanan, SGP

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider the representation of the petitioner dated 27.04.2015 for transferring the patta in his name with respect to his father's property in R.S.No.67/2 to an extent of 2 acres 0.05 cents situated at Katchur Village, Uthukottai Taluk, Tiruvallur District within stipulated period of time.

2. It is the case of the petitioner that his father by name Thiru.Subbaraya Pandidhar lived at Katchur Village. While so, a dry land bearing fasali No.1348 comprised in S.No.67/2 to an extent of 2 acres 0.05 cents was assigned to his father on

10.03.1939 by Tirumala Tirupati Devasthanam Committee of Andhra Pradesh State and the same had been in possession and enjoyment of his father till his demise i.e., on 14.11.2008 and thereafter, the same has been in his possession and enjoyment. In the mean while, the petitioner made a representation dated 27.04.2015 to the second respondent for issuing patta in his favour along with the copy of assignment order dated 13.03.1939 standing in the name of his father and the same was acknowledged by the second respondent. However, till date, no order has been passed by the second respondent. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard Mr.A.Thamizharasan, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who took notice for the respondents.

4. Considering the facts and circumstances of the case, without going into the merits of the claim made by the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 27.04.2015, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.
rk

s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Collectorate of Tiruvallur District,
Tiruvallur District.

2. The Tahsildar,
Uthukottai Taluk Office,
Uthukottai, Tiruvallur District.

+ 1 cc to Mr.A.Thamizharasan, Advocate SR 6043

+ 1 cc to Govt.Pleader SR 6539

kk(co)

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