

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 06.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5857 of 2014

K.Manju, represented by her
Husband as Power Agent
Puducherry-605 007

... Petitioner

Vs.

1. The Secretary to Government,
(Revenue) Chief Secretariat,
Puducherry.

2. The District Collector,
Revenue Complex, Puducherry.

3. The Tahsildar,
Taluk Office, Puducherry

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, to direct the third respondent to change the patta based on the strength of the documents submitted by the petitioner for establishing the title of the land and the required application filed on 21st April 2015 and reminder lastly filed on 7th December, 2015 in respect of lands comprising in R.S.No.224/29, Cadastre No.1089/1, Ward-O, Block No.4, Town Survey No,.14/31 to the extent of 00.10.15 (Hectares) or 10 Ares 15 cents at Murugambakkam Revenue village, Puducherry, within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Suresh

For Respondents: : Mr.A.Tamilvanan, GA (P)

ORDER

This Writ Petition has been filed, praying for the issuance of a writ of mandamus, to direct the third respondent to change the patta based on the strength of the documents submitted by the petitioner for establishing the title of the land and the required application filed on 21st April 2015 and reminder lastly filed on 7th December, 2015 in respect of lands comprising in R.S.No.224/29,

Cadastre No.1089/1, Ward-0, Block No.4, Town Survey No,.14/31 to the extent of 00.10.15 (Hectares) or 10 Ares 15 cents at Murugambakkm Revenue village, Puducherry, within a time frame as may be fixed by this Court.

2. According to the petitioner, the above said property was originally belonging to one Ramakrishan, from whom, one Gopal Counder had purchased by way of sale deed as per French Notarial deed, dated 8.2.1960. The said Gopal Counder died intestate, leaving three male issues, viz., G.Kannaiyan @Arumugam, G.Subramanian and G.Pavadai, who had executed a partition deed on 26.09.2008 vide Document No.5283 of 2008 registered on the file of the Joint Sub Registrar Office, Puducherry. Thereafter, the petitioner has purchased the property from the above said three individuals by way of three registered sale deeds respectively vide document Nos.3866/2015, dated 31.3.2015, 3869/2015, dated 31.3.2015 and 3870/2015, dated 31.03.2015 registered On the file of the Sub Registrar, Puducherry. After purchase, the petitioner has applied for change of patta on 21.4.2015 to the third respondent, followed by a reminder dated 30.6.2015. However, as there was no response, the petitioner has come forward with the present writ petition.

3. The grievance of the petitioner is that, after purchasing the property, he applied for change of patta in respect of the lands comprising in R.S.No.224/29, Cadastre No.1089/1, Ward-0, Block No.4, Town Survey No,.14/31 to the extent of 00.10.15 (Hectares) or 10 Ares 15 cents at Murugambakkm Revenue village, Puducherry by way of representation, dated 21.4.2015 to the third respondent and also sent reminders, however there was no response.

4. Considering the facts and circumstances of the case and also the fact that the representation made by the petitioner has not been disposed of by the third respondent, without going into the merits of the case, the petitioner is directed to make a fresh representation along with a copy of the earlier representation, dated 21.4.2015 to the third respondent. On such representation being made by the petitioner, the third respondent is directed to consider the same and pass appropriate orders in accordance with law, after affording an opportunity of hearing to the petitioner.

The Writ Petition is disposed of with the above direction.
No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
(Revenue) Chief Secretariat,
Puducherry.

2. The District Collector,
Revenue Complex, Puducherry.

3. The Tahsildar,
Taluk Office, Puducherry

+1 cc to the Government Pleader for puducherry
Advocate sr.22328

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