

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.6035 of 2016

1.Jayaprakash
2.Gopal
3.Karunakaran
4.Karthikeyan
5.Thilakavathy

.. Petitioners

Vs.

1.The Tahsildar
Tambaram Taluk,
Kancheepuram District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondent to consider the representation of the petitioners dated 17.11.2015 and grant joint patta in favour of the petitioners property situated at Survey No.1/2 to an extent of 4.50 Acres situated at No.175, Sembakkam Village, Tambaram Taluk, Kancheepuram, District in accordance with law.

For Petitioner : Mr.T.Arul.

For respondents: Mr.P.Sanjay Gandhi, AGP.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the respondent to consider the representation of the petitioners dated 17.11.2015 and grant joint patta in favour of the petitioners property situated at Survey No.1/2 to an extent of 4.50 Acres situated at No.175, Sembakkam Village, Tambaram Taluk, Kancheepuram, District in accordance with law.

3.The petitioners jointly applied for joint patta before the respondent. Originally the property belongs to late Varadharajan father of the first petitioner who employed in Police Department, while he was in service the Government allotted the land as per GO.No.153/11(revenue department) and by proceedings of Taluk

Records in 8A/1198/84 dated 06.03.1974, then the revenue records were mutated in the name of late Varadharajan and the said Varadharajan died on 05.02.1985 leaving behind the petitioner as his legal representative. The petitioner equally divided the property by way of registered partition deed Document No.4030/2010 dated 22.04.2010 and commonly enjoying the property till date. The petitioners approached the respondent on 17.11.2015 requesting him to grant joint patta in favour of all the petitioners. The respondent has not considered the representation of the petitioners, hence, the petitioners filed the present writ petition.

4.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

5.Considering the facts and circumstances, this Court directs the respondent to consider the representation of the petitioners dated 17.11.2015 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioners as well as to the necessary parties, if any. It is made clear that this Court has not expressed any opinion on merits of the claim of the petitioners.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

The Tahsildar
Tambaram Taluk,
Kancheepuram District.

1 cc to Mr.T. Arul, Advocate, Sr. 10794
1 cc to Government Pleader, Sr. 10592

W.P.No.6035 of 2016.

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