

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.6135 of 2016

M.Madhayyan

.. Petitioner

Vs.

The Tahsildar, Tirupattur,
Vellore 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 herein to consider the petitioner's application, dated 09.12.2015.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr. M.Dig Vijay Pandian, Addl.G.P

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondent herein to consider the petitioner's application, dated 09.12.2015.

2. It is the case of the petitioner that the property comprised in S.No.45/2 of an extent of 1.05 ares is ancestral property and the petitioner's father is in enjoyment of the same. The petitioner's father executed a registered Deed of Release, dated 27.04.2015 under D.No.3944 of 2015 on the file of the Office of the Sub-Registrar, Tirupattur, of an extent of 0.5 cents in favour of the petitioner and his brother M.Thirupathi. Thereafter, patta was issued under Patta No.704 on 19.06.2015. On 09.12.2015, an application, with necessary enclosures and fees, were given in person by the petitioner, seeking re-survey of the said property and for laying appropriate stone. On 11.12.2015, the said application was also sent through Registered Post with Acknowledgement Due, which was duly acknowledged by the respondent. Since no steps were taken, the petitioner has filed this Writ Petition for the above relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. Considering the limited scope of the prayer made in this Writ Petition, this Writ Petition is disposed of, with a direction to the respondent to consider the said application of the petitioner, dated 09.12.2015 and after giving an opportunity of personal hearing to the petitioner and necessary parties, dispose of the said application, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondent to decide the same. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

cs

To:

The Tahsildar,
Tirupattur, Vellore District.

1 cc to Mr.G. Jeremiah, Advocate, Sr. 10920

1 cc to Government Pleader, Sr. 10790

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JP (CO)

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