

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.19169 of 2017 &
W.M.P.No.20632 of 2017

1.S.Ramakrishnan
2.R.Bakkiyammal

...Petitioners

v.

1.The District Collector
Kancheepuram District
Kancheepuram

2.The Revenue Divisional Officer
Madhuranthagam Taluk
Madhuranthakam
Kancheepuam District

3.The Tahsildar
Madhuranthagam Taluk
Madhuranthakam
Kancheepuam District

4. The Village Administrative Officer
194, Irumbedu Village
Madhuranthakam Taluk
Kancheepuram District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to transfer the patta from Mr.Sampath Kumar to the 1st petitioner's name in respect of the lands at Pavunthankaranai Village in Survey Nos.13/1B - 0.10.0, 13/3C - 0.21.5, 13/9G - 0.12.5 and 16/12C - 0.08.0 (Total - 1.30 Cents) as mentioned in the report of the 4th respondent dated 31.01.2017 and transfer the patta to the 2nd petitioner's name in respect of the lands of Pavunthankaranai Village in Survey No.21/2C - 0./04.0, 21/7 - 0.01.5, 21/8 - 0.01.5, 21/11- 0.21.0, 21/12C - 0.13.5 (Total - 0.13 Cents) as mentioned in the report of the 4th respondent dated nil, immediately.

For Petitioners : Mr.R.Singaravelan
Senior Counsel
for Ms.M.Srivedhya

For Respondent : Mr.R.Rajeswaran
Spl. Govt. Pleader

ORDER

सत्यमेव जयते

Mr.R.Rajeswaran, learned Special Government Pleader, takes notice for the respondents. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioners have filed the above writ petition to issue a Writ of Mandamus, directing the respondents to transfer the patta from

the name of Mr.Sampath Kumar to the 1st petitioner's name in respect of the lands at Pavunthankaranai Village in Survey Nos.13/1B, measuring an extent of 0.10.0 Hectares 13/3C, measuring an extent of 0.21.5 Hectares, 13/9G, measuring an extent of 0.12.5 Hectares and 16/12C, measuring an extent of 0.08.0 Hectares (Total - 1.30 Cents) as mentioned in the report of the 4th respondent dated 31.01.2017 and transfer the patta to the 2nd petitioner's name in respect of the lands of Pavunthankaranai Village in Survey No.21/2C, measuring an extent of 0./04.0 Hectares, 21/7, measuring an extent of 0.01.5 Hectares, 21/8, measuring an extent of 0.01.5 Hectares, 21/11, measuring an extent of 0.21.0 Hectares and 21/12C, measuring an extent of 0.13.5 Hectares (Total - 0.13 Cents) as mentioned in the report of the 4th respondent, within a time frame.

3. Mr.P.Singaravelan, learned Senior Counsel appearing for the petitioners submitted that instead of granting the relief sought for in the writ petition, it would be suffice to direct the respondents to consider the petitioner's application dated 03.07.2017, within a time frame.

4.Mr.R.Rajeswaran, learned Special Government Pleader, appearing for the respondents submitted that the 3rd respondent may be directed to consider the petitioner's application dated 03.07.2017 and pass orders, in accordance with law, after giving notice to all the interested parties.

5. In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 3rd respondent is directed to consider the petitioner's application dated 03.07.2017 and pass orders, in accordance with law, after giving notice to all the interested parties, within a period of four weeks, from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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27.07.2017

Index: Yes/No

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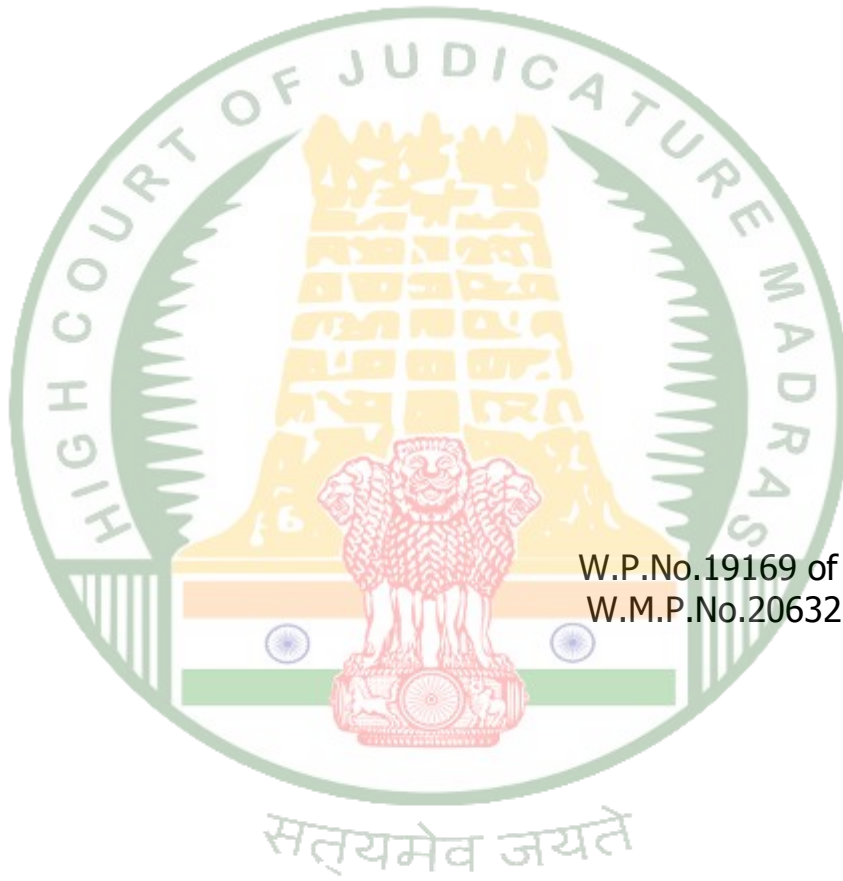
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M.DURAI SWAMY, J.

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