

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8863 of 2018

Jayakumar Fernando
S/o E.S.Thomas Fernando
rep by his power agent
B.T.Anthony

.. Petitioner

-vs-

The Tahsildar
Egmore Taluk
Chennai

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 27.03.2018 seeking issuance of patta in the name of petitioner for the property situated at no.19B, new no.29A, No.14, Akbarabad Second Street, Kodambakkam, Chennai 600 024, measuring an extent of 3270 sq.ft., comprising in old bymash nos.967 to 972 in T.S.No.16/1, part of block no.38, corporation no.113, in Puliyur village, Egmore Taluk, Chennai District.

For Petitioner :: Mr.G.Varghese

For Respondent :: Mr.S.N.Parthasarathi
Government Advocate

ORDER

This writ petition has been filed seeking a mandamus to the Tahsildar, Egmore Taluk, Chennai District, the respondent herein to consider the petitioner's representation dated 27.3.2018 for issuance of patta in the name of petitioner for the property situated at No.19B, New No.29A, No.14, Akbarabad Second Street, Kodambakkam, Chennai 600 024, measuring an extent of 3270 sq.ft., comprising in old bymash nos.967 to 972 in T.S.No.16/1, part of Block No.38, corporation no.113, in Puliyur village, Egmore Taluk, Chennai District.

2. Learned counsel for the petitioner submitted that the petitioner is represented by his power agent Mr.B.T.Anthony.

Since the property situated at No.19B, New No.29A, No.14, Akbarabad Second Street, Kodambakkam, Chennai 600 024, measuring an extent of 3270 sq.ft., comprising in old bymash nos.967 to 972 in T.S.No.16/1, part of Block No.38, Corporation No.113 in Puliur village, Egmore Taluk, Chennai District was in the name of one Mrs.E.A.Margret, Wife of the above said Mr.Jayakumar Fernando, she executed a settlement deed in favour of the petitioner, who in turn executed a General Power of Attorney to promote the land and also to avail the patta in his name. After receipt of the settlement, the petitioner has given an application to the Tahsildar, Egmore Taluk for issuance of patta. But till date, the respondent has not come forward to consider the same.

3. But this Court is unable to see any merit in the present writ petition. The reason being when the petitioner claims that he has received the settlement from his wife, there is no parent document enclosed to show how the petitioner's wife got the title to settle the land in question in favour of the petitioner. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ss

To

The Tahsildar, Egmore Taluk,
Chennai.

+ 1 cc to Mr. G. Varghese, Advocate Sr.28349
+ 1 cc to Mr. the Government Pleader Sr.28418

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SSD(CO)
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