

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.9732 of 2012

V.R.Sundaramurthy

... Petitioner

Vs.

The Tahsildar
Thirukoilur, Thirukoilur Taluk
Villupuram District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to act upon the representation, dated 14.02.2012 and measure the properties comprised in S.Nos.19/6, hectare 0.10.0, 19/7 hectare 0.10.0, 25/4 hectare 0.07.5, 27/2 hectare 0.07.5 and 27/4 hectare 0.05.5 situated at Eravalam Village, Thirukoilur Taluk, Villupuram District and transfer patta for the properties to the name of the petitioner.

For Petitioner : Mr.R.Gururaj
For Respondent : Mr.I.M.Pappiah
Additional Government Pleader

O R D E R

According to the petitioner, he had purchased the property comprised in Survey Nos.19/6, hectare 0.10.0., 19/7 hectare 0.10.0, 25/4 hectare 0.07.5, 27/2 hectare 0.07.5 and 27/4 hectare 0.05.5 situated at Eravalam Village, Thirukoilur Taluk, Villupuram District belonged to one Ezhumalai, under a registered Sale Deed, dated 13.10.2000. The patta stands in his name and he was in possession and enjoyment of the property. One Mr.S.Paramasivam filed a suit in O.S.No.44 of 2007 on the file of the Principal District Munsif Court, Thirukoilur, against the said Ezhumalai for declaration of title and permanent injunction regarding the first two items as aforesaid. The suit was dismissed by a judgment and decree on 09.12.2009 and the Appeal filed against the said suit in A.S.No.90 of 2010 was also dismissed as against the said judgment on 22.12.2010 by the II Additional Subordinate Judge, Villupuram.

2. The Second Appeal was filed in S.A.No.649 of 2011 and the same was also dismissed by this Court on 11.08.2011. Subsequently, by means of a registered Sale Deed, dated 04.11.2011, the

petitioner purchased the aforementioned properties from Ezhumalai and he has been possession and enjoyment of the same. The petitioner has purchased the property in the year 2011, and he approached the respondent for transfer of patta in his name and measurement for the property by a Surveyor.

3. The petitioner also paid necessary charges for measurement of the property by a Surveyor. Thereafter, on 14.10.2012, the petitioner has given a representation requesting for survey of the land and also for transfer of patta and mutation of revenue records. However, no action was forthcoming from the respondent and therefore, the petitioner approached before this Court for issuance of Writ of Mandamus.

4. Mr.I.M.Pappiah, the Additional Government Pleader, who accepted notice, for the respondent entered appearance.

5. The learned Special Government Pleader has no objection, if a direction is issued to the respondent to pass orders on the representation made by the petitioner, after affording an opportunity of personal hearing to the petitioner.

6. In view of the submissions, this Writ Petition is disposed of by directing the respondent to consider the petitioner's representation said to have been made by the petitioner on 14.02.2012 and on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

msm

To

The Tahsildar
Thirukoilur, Thirukoilur Taluk
Villupuram District.

+1 cc to the Government Pleader, High Court, Chennai SR.NO. 9759

+1 cc to Mr.R.Gururaj, Advocate SR.NO. 9486

W.P.No.9732 of 2012

PA (CO)
JK 23/03/18