

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.2833 of 2018

R.Latha

W/o.Late G.Ravinathan @ Ravi

... Petitioner

.vs.

The Tahsildar

Mylapore - Triplicane Taluk

R.A.Puram

Greenways Road,

Chennai-600 028.

...Respondent

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to transfer and include the petitioner and her daughter name and issue patta in respect of 1300 sq.ft House Plot including Ground, 1st Floor and 2nd Floor of building in Survey No.4090 (part) in Old Door No.61, New Door No.85, Thiruvalluvar Pettai, Mandaiveli, Chennai-600 028, by considering her representation dated 21.12.2017.

For Petitioner : Mr.K.Govindaraj

For Respondent : Mr.D.Suriyanarayanan

Additional Government Pleader

O R D E R

Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner is as follows:

One G.Amsa, wife of S.Gopal Naidu, owned the subject matter property. She executed a settlement deed dated 30.04.2002 in favour of her three sons namely, G.Ravinathan, G.Thogaikannan and G.Viswanathan, settling the said property in their favour. The said G.Ravinathan died on 14.08.2013, leaving behind the

petitioner herein, his daughter by name R.Jayapreethy and his mother namely, the said G.Amsa as his legal heirs. Therefore, the petitioner herein made an application before the respondent for grant of Patta, by including the name of the petitioner as well as her daughter in the patta issued in respect of the said property. The said representation was sent on 21.12.2017. The grievance of the petitioner before this Court is that the said representation is yet to be considered.

3. This Court, at this stage, is not expressing any view on the claim made by the petitioner, as it is for the respondent to consider and decide on its own merits and in accordance with law. Even though the petitioner has not impleaded the other sharers of the subject matter property namely, the other two brothers of the petitioner's deceased husband, however, the respondent, while considering the application of the petitioner, has to necessarily give notice to those persons and thereafter, after hearing all the parties concerned, including the mother of the deceased namely, the said G.Amsa, as she also becomes one of the legal heirs of the deceased, pass orders on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondent to consider the representation of the petitioner dated 21.12.2017 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/-

Assistant Registrar

/true copy/

Sub Assistant Registrar

mk

To

The Tahsildar  
Mylapore - Triplicane Taluk  
R.A.Puram  
Greenways Road,  
Chennai-600 028.

1 cc to Mr.K.Govindaraj, Advocate, Sr. 10170  
1 cc to Government Pleader, Sr. 10960

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