

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI
W.P.No.32294 of 2007
and
M.P.No.2 of 2014

Mahadevi

...Petitioner

Versus

1. The Assistant Director of Survey
Survey Branch Office
Karaikal.

2. The Special Officer,
Settlement Branch Office
Karaikal.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd respondent herein to act on the order of the Settlement Officer dated 13.10.2006 and consequently, direct the 2nd respondent to grant patta in favour of the petitioner.

For Petitioner : Mr.N.Jayaprakash Narayanan
For Respondents : Mr.B.Nambiselvan
Additional Government Pleader
(Puducherry)

O R D E R

This Writ Petition has been filed seeking issuance of Mandamus, directing the 2nd respondent herein to act on the order of the settlement officer dated 13.10.2006 and consequently direct the 2nd respondent to grant patta in favour of the petitioner.

2.The petitioner's parents are the owners of the property situated in R.S.No.78/5, Cadastre, No.386/2.Pt. In T.S.No.84, Ward A Block 5 to an extent 0.08.53 Ha., by way of a registered sale deed dated 08.08.1995. After the demise of her parents, the petitioner and her brother became the owner of the above said property. Hence, they have approached the Survey and Settlement Officer, Karaikal, the respondents herein for transfer of patta in

their favor. Though, the Settlement Officer, in his letter dated 13.10.2006 has directed the 2nd respondent to effect changes in the patta and issue joint patta, the 2nd respondent did not issue any patta till date. Aggrieved by the same, the petitioner has filed the present writ petition with the aforesaid prayer.

3. Mr.Jayaprakash Narayanan, learned counsel for the petitioner would fairly submit that it would suffice, if a direction is issued to the respondents/concerned authorities to comply with the directions issued by the Settlement Officer in No.8889/DOS/ST-I/E.5/2006, Puducherry, dated 13.10.2006.

4.In view of the limited prayer sought for by the learned counsel for the petitioner, liberty is granted to the petitioner to submit a fresh representation to the respondents within a period of one week from the date of receipt of copy of this order. On such submission, the respondents shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

rm

To

1. The Assistant Director of Survey
Survey Branch Office
Karaikal.

2. The Special Officer
Settlement Branch Office
Karaikal.

+1cc to Mr.N.Jayaprakash Narayanan , Advocate SR.No. 52621

W.P. No.32294 of 2007
and M.P.No.2 of 2014

ASK(18/09/2018)