

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.17674 of 2018

Vijayan @ Vijayakumar

...Petitioner

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Versus

The Special Tahsildar,
Town Land Tax Scheme,
Madavaram Taluk,
Madavaram, Chennai.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's application dated 02.05.2018 seeking for subdivision and transfer of patta in the name of the petitioner.

For Petitioner : Mr.G.Jermiah

For Respondent : Mr.S.N.Parthasarathy, G.A.

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's application dated 02.05.2018 seeking for subdivision and transfer of patta in the name of the petitioner.

2. Learned Counsel appearing for the petitioner submitted that the petitioner's grandfather, namely, Mr.Selappa Naicker, was the original owner of the land having an extent of 20 cents out of 34 cents comprised in Punjai Survey No.1041/1B situated at Madavaram. Subsequent to the death of his grandfather, his father Mr.Kandasamy Naicker and his four brothers partitioned the said 20 Cents into five equal shares under an unregistered Koorchit (Partition Deed) dated 14.6.1965. As per the Koorchit, his father acquired the 'A' Schedule Property having an extent of 4 Cents in S.No.1041/1B Madavaram Village. After the death of his father, the petitioner and his brother Sivakumar and the deceased brother's son, namely, Minor Muthuarasu have partitioned the said 4 cents of land comprised in S.No.1041/1B

under yet another Koorchit (Partition Deed). Accordingly, the petitioner had acquired an extent of 484 sq.ft. As per the partition, the petitioner claims to be in possession and enjoyment of 484 sq.ft. of land in Survey No.1041/1B at Madavaram. Therefore, the petitioner on 2.5.2018 submitted an application requesting the respondent and other revenue authorities to transfer and issue patta for the said property in his name. But, no action has been taken on the same till date. Hence, he sought for a direction to consider his representation seeking sub-division and transfer of patta.

3. Mr.S.N.Parthasarathy, learned Government Advocate appearing for the respondent submitted that a fresh copy of the representation along with Koorchit (Partition Deed) dated 14.6.1965 and 01.04.1996, House Tax Receipts, Electricity Card, Ration Card may be furnished to the respondent and on receipt of the same, he will consider the claim of the petitioner within a considerable period fixed by this Court.

4. Recording the said statement, the petitioner is directed to furnish a copy of the representation dated 02.05.2018 along with Koorchit (Partition Deed) dated 14.6.1965 and 01.04.1996, House Tax Receipts from 1997, Electricity Card, Ration Card to the respondent, namely, the Special Tahsildar, Town Land Tax Scheme, Madavaram Taluk, Madavaram, Chennai, within a period of one week from the date of receipt of a copy of this Order and on receipt of the same, the respondent shall consider and pass orders on the same 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.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

tsi

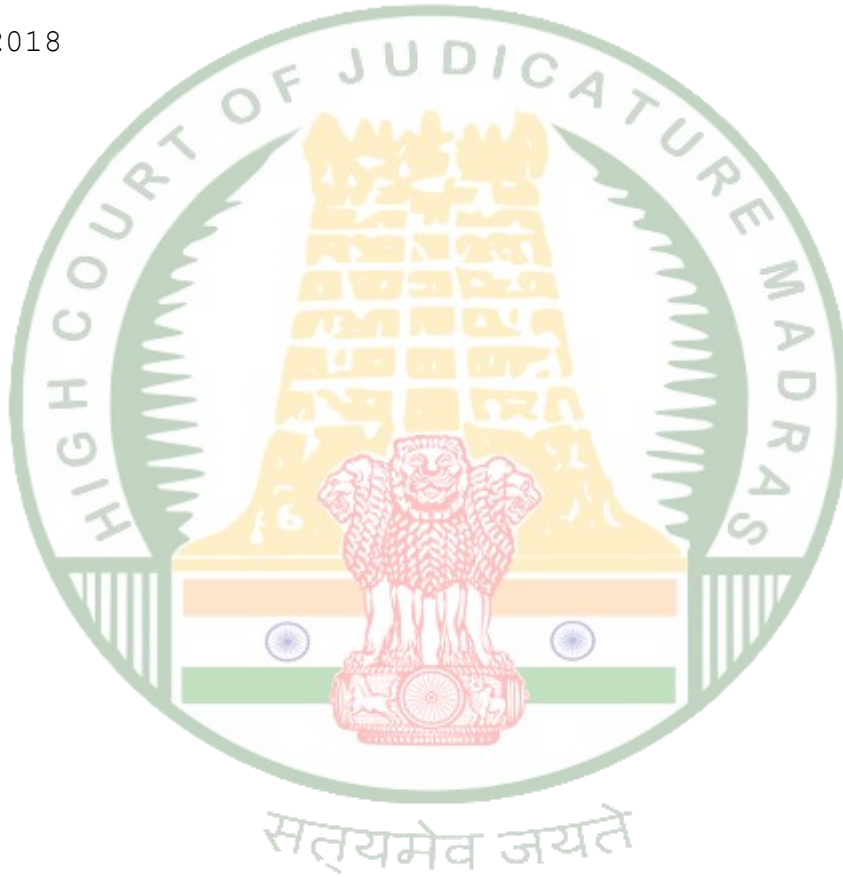
To

The Special Tahsildar,
Town Land Tax Scheme,
Madavaram Taluk,
Madavaram, Chennai.

+1cc to Mr.G.Jermiah, Advocate sr.no.46788
+1cc to Government Pleader sr.no.47571

W.P.No.17674 of 2018

nr 27/07/2018



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