

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30329 of 2018

Alice Bessi Mathew

...Petitioner

..Vs..

1.The District Collector,  
Kancheepuram District.

2.The Tahsildar,  
Sholinganallur Taluk  
Chennai - 600 117.

....Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the second respondent to transfer from May Kutty to Alice Bessy Mathew based on application dated 17.04.2018 in respect of the property bearing Plot No.21, measuring an extent of 3000 sq.ft. Situated at Sivaprakasam Nagar, Madipakkam, Chennai-600 126.

For Petitioner : Mr.C.Venkatesan

For Respondents: Mr.V.Shanmugasundar  
Special Government Pleader

ORDER

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the second respondent to transfer patta from the name of Mary Kutty to Alice Bessy Mathew based on application dated 17.04.2018 in respect of the property bearing Plot No.21, measuring an extent of 3000 sq.ft. Situated at Sivaprakasam Nagar, Madipakkam, Chennai-600 126.

3. The case of the petitioner is that she acquired the property situated in Plot No.21, measuring an extent of 3000 sq.ft. situated at Sivaprakasam Nagar, Madipakkam, Chennai-600 126 from her mother Mrs.Mary Kutty vide settlement deed dated 24.02.2006 and the patta was issued in favour of her mother and the petitioner is paying the taxes regularly. While so, on 17.04.2018, the petitioner has made an application to the second

respondent seeking for transfer of patta in her name. Since, the same is kept pending without any action being taken, the petitioner has filed this Writ petition seeking for the aforesaid relief.

4. Heard both sides. Perused the materials on record.

5. The learned Special Government Pleader submits that only if the petitioner submits application through online, the same can be considered.

6. Considering the said submission, the petitioner is directed to make an application seeking transfer of patta from the name of Mary Kutty to Alice Bessi Mathew immediately through online and if the same is made, the respondents are directed to consider and pass orders on merits and in accordance with law, after giving an opportunity of hearing to the petitioner as well as any of the interested persons, within the period of four weeks from the date of application. However, it is made clear that this Court, has not expressed any opinion on the merits of the case.

7. This Writ Petition is disposed of with the above directions. No costs.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

arr/rst

To

1.The District Collector,  
Kancheepuram District.

2.The Tahsildar,  
Sholinganallur Taluk  
Chennai - 600 117.

+1 CC to Govt. Pleader sr 79579.

+1 CC to Mr.C.Venkatesan, Advocate sr 78607.

W.P.No.30329 of 2018

SJ(CO)  
SP(10/12/2018)