

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.03.2019

CORAM
THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.7230 of 2019

Bhuvaneshwari

...Petitioner

Vs.

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Tahsildar
Thiruporur Taluk Office
Thiruporur
Kancheepuram District.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent namely the Tahsildar, Thiruporur Taluk Office, Thiruporur, Kancheepuram District to take action on the application submitted by the petitioner before him on 28.10.2015 to issue joint patta in the name of the petitioner as well as her uncle Mr.Chandrasekar with respect of the lands comprised in Survey No.28, 29/1, 29/2 B, 31/1A, 32, 33/2B, 112/1, 112/2A all together with an extent of 2.86.0 hectares at Panchathiruthi Village, Tiruporur Taluk, Kancheepuram District.

For Petitioner : Mr.A.G.Rajan

For Respondents: Mr.I.Sathish
Additional Government Pleader

O R D E R

Mr.I.Sathish, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the second respondent viz., the Tahsildar, Thiruporur Taluk Office, Thiruporur, Kancheepuram District, to take action on the application submitted by the petitioner on 28.10.2015 to issue joint patta in the name of the petitioner as well as her uncle Mr.Chandrasekar in respect of the lands comprised in Survey Nos.28, 29/1, 29/2 B, 31/1A, 32, 33/2B, 112/1, 112/2A all together with an extent of 2.86.0 hectares at Panchathiruthi Village, Tiruporur Taluk, Kancheepuram District.

3. It is stated that the petitioner's father Kalidoss and one Chandrasekar are brothers and they owned the lands in Survey Nos.28, 29/1, 29/2 B, 31/1A, 32, 33/2B, 112/1, 112/2A all together with an extent of 2.86.0 hectares at Panchathiruthi Village, Tiruporur Taluk, Kancheepuram District. It is further stated that they had been jointly enjoying the property, after obtaining joint patta and no partition had been taken place between them till date. It is stated that the petitioner's father Kalidoss died on 11.06.2013, leaving behind the petitioner as his only legal heir. Therefore, the petitioner submitted an application to the second respondent on 28.10.2015, requesting him to issue joint patta in the name of the petitioner as well as her uncle Chandrasekar. Now, the grievance of the petitioner before this Court is that the said request has not been considered by the respondents so far.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representation of the petitioner dated 28.10.2015 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the second respondent within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Collector
Kancheepuram District
Kancheepuram.

2.The Tahsildar
Thiruporur Taluk Office
Thiruporur
Kancheepuram District.

+1cc to Mr.A.G.Rajan, Advocate, S.R.No.23926
+1cc to the Government Pleader, S.R.No.24739

W.P.No.7230 of 2019

RRS (22/04/2019)



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