

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.8121 of 2019

K.Ranganathan

...Petitioner

Vs.

The Special Tahsildar
Urban Land Tax Scheme
Vaniyambadi
Vellore District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to consider the claim of the petitioner contained in his representation dated 16.02.2018 regarding issuance of separate patta in respect of the property in T.S.No.27(new) No.398, measuring an extent of 4736 sq.ft vacant land and thatched house in total 4 items measuring an extent of 8494 sq.ft properties as per the Will dated 16.02.2019.

For Petitioner : Mr.J.Muthukumaran

For Respondent : Mr.E.Balamurugan
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondent. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondent to consider his representation dated 16.02.2018, wherein and whereby, he sought for issuance of separate patta in respect of the property in T.S.No.27(new) No.398, measuring an extent of 4736 sq.ft vacant land and thatched house in total 4 items measuring an extent of 8494 sq.ft properties as per the Will dated 16.02.2019.

3. It is stated that the petitioner's paternal uncle executed a Will in favour of the petitioner vide Document No.32

of 2009 dated 16.02.2009 on the file of the Sub Registrar's Office, Sembium, Chennai in respect of the subject matter properties. It is further stated that the said petitioner's paternal uncle died on 08.06.2009. It is further stated that based on the said Will, the petitioner has become an absolute owner of the subject matter properties. Hence, the petitioner made a representation on 16.02.2018, seeking issuance of separate patta in his favour. The grievance of the petitioner before this Court is that the said representation has not been considered by the respondent.

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 respondent to consider and decide the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of only with a direction to the respondent to consider the representation dated 16.02.2018 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 respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mk

To

The Special Tahsildar
Urban Land Tax Scheme
Vaniyambadi
Vellore District.

+1 cc to Mr.J.Muthukumaran, Advocate, Sr.No. 28424

+1 cc to The Government Pleader, Sr.No. 29173

VBA(CO)
CSL/27.04.2019

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