

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.3463 of 2020

N.Mohanasundaram

...Petitioner

.Vs.

The Special Thasildar
Corporation of Chennai
Alandur, Chennai 16.

...Respondent

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pass a considered order on the application given by the petitioner on 24.10.2018 and consequential relief by way of direction directing the respondent to process and issue a patta name transfer in favour of the petitioner herein pertaining to Door No.70D, 70E, Sowri Street, Alandur, Chennai-600 016, Alandur Taluk, St.Thomas Mount Village, South Chennai Registration District, measuring an extent of 256 sq.ft., 256 sq.ft. respectively based on the Item II and Item III of the Settlement Deed Doc.No.1972/2018 dated 7.9.2018.

For Petitioner : Mr.T.Ramachandran

For Respondent : Mr.Annai Ezhil
Government Advocate

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ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent to consider the application submitted by the petitioner on 24.10.2018 and for transferring the patta in the name of the petitioner with respect to the subject properties.

2. Mr. Annai Ezhil, learned Government Advocate appearing on behalf of the respondent submitted that the respondent has already completed the enquiry. The learned counsel further submitted that the title documents relied upon by the petitioner does not give the measurement with regard to the four boundaries and therefore, the petitioner has been requested to give a sketch by properly mentioning the measurement of the four boundaries. The learned counsel further submitted that the title documents showed that the property is situated at Parangimalai Village. Further, at the time of inspection, it was found to come within the Alandur jurisdiction. Therefore, clarification was sought for on this ground also. Learned Government Advocate submitted that once the petitioner gives clarification, final orders will be passed by the respondent within a period of two weeks.

3. The learned counsel for the petitioner submitted that the petitioner will submit a sketch before the respondent giving the measurement of the four boundaries pertaining to the subject property. The learned counsel further submitted that insofar as the second query is concerned, the settlement deed itself reflects the fact that the property in question falls within the Sub-Registration District of Alandur. The document has also been registered on the file of the Sub-Registrar, Alandur. Therefore, there is no requirement to give clarification with regard to the second query raised by the Tahsildar.

4. This Court has carefully considered the submissions made on either side and the materials available on record.

5. It is seen from records that there was already a patta granted with respect to the subject property. The enquiry has also been completed by the respondent based on the title documents submitted by the petitioner. The petitioner has also made it clear that he will submit the sketch before the respondent showing the measurement of the four boundaries. In the considered view of this Court, this clarification is enough for the respondent to pass appropriate orders for change of patta in the name of the petitioner. The second query made by respondent is not very relevant since the settlement deed itself shows that the property is situated within the Sub-Registration District of Alandur. Therefore, no further clarification is required in this regard.

6. In view of the above, there shall be a direction to the petitioner to submit the sketch before the respondent and the respondent shall pass final orders within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

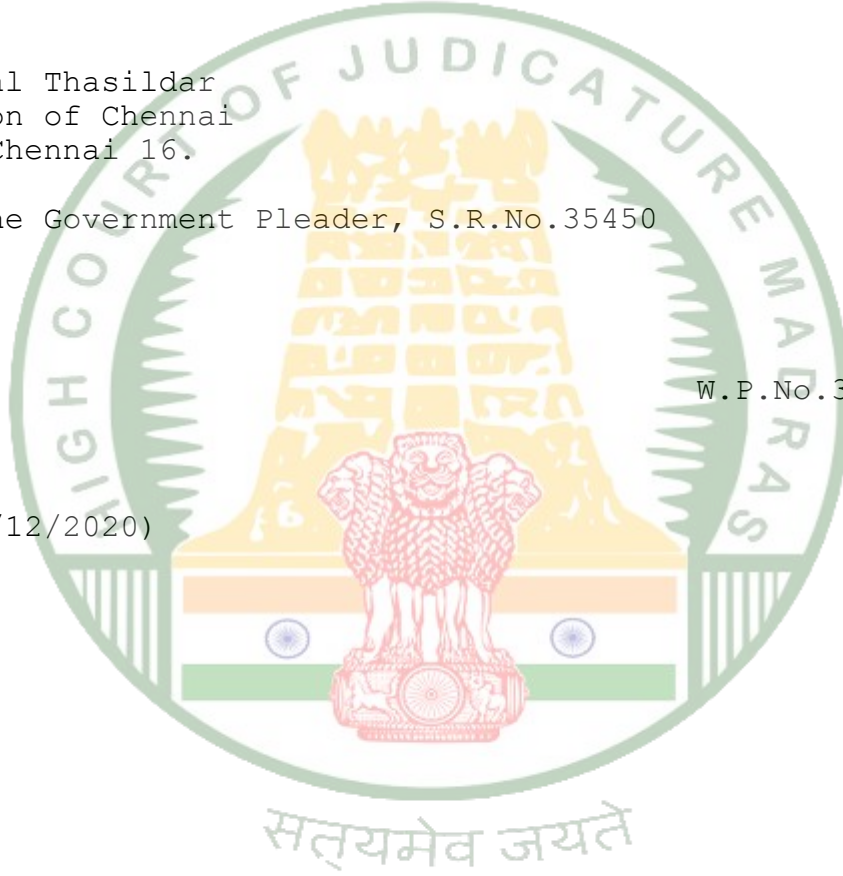
To

The Special Thasildar
Corporation of Chennai
Alandur, Chennai 16.

+1cc to the Government Pleader, S.R.No.35450

W.P.No.3463 of 2020

RR II (29/12/2020)



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