

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.24085 of 2013

P.R.Muthu

... Petitioner

Vs.

1.The District Collector,
Chennai Collectorate,
Singaravelu Maaligai, Chennai.

2.The Tahsildar,
Mylapore - Triplicane Taluk Office,
Chennai - 28.

3.Valliammal

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 2nd respondent to pass orders on the petitioner's representation dated 24.04.2012 requesting for transfer of patta in the petitioner's name in respect of the house, ground and premises bearing New Door No.18, Old Door No.33, Nyniappa Naicken Street, Chintadripet, Chennai - 2 comprised in R.S.No.955, Collector's Certificate No.1400, measuring 2095 $\frac{1}{4}$ sq.ft., by holding necessary enquiry.

For Petitioner : Mr.N.Nagu Sah

For Respondents: Ms.A.Madhumathi,

Special Government Pleader (R1 & R2)

R3 - no appearance

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 2nd respondent to pass orders on the petitioner's representation dated 24.04.2012 seeking for transfer of patta in his name in respect of the house, ground and premises bearing New Door No.18, Old Door No.33, Nyniappa Naicken Street, Chintadripet, Chennai - 2 comprised in R.S.No.955, Collector's Certificate No.1400, measuring 2095 $\frac{1}{4}$ sq.ft., by holding necessary enquiry.

2.It is brought to the notice of this Court that a Civil Suit in O.S.No.1565 of 2007 on the file of the VII Assistant Judge, City Civil Court, Chennai, filed by the 3rd respondent and 2 others, against the petitioner and others, seeking for redemption of Mortgage Deed dated 26.02.1994 and for permanent injunction, was dismissed by the trial Court by its judgment and decree dated 27.06.2018 and as against the same, the 3rd respondent and others have filed an appeal in A.S.No.244 of 2019 on the file of the XVIII Additional Judge, City Civil Court, Chennai.

3.Mr.N.Nagu Sah, learned counsel appearing for the petitioner submitted that the 2nd respondent may be directed to consider the petitioner's representation, after the issue, which is pending before the Civil Court between the petitioner and the 3rd respondent, is settled.

4.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that after the issue pending before the Civil Court is decided finally, the 2nd respondent may be directed to consider the petitioner's representation in accordance with law.

5.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 24.04.2012, after the issues pending before the Civil Court between the petitioner and the 3rd respondent are decided finally.

6.With these observations, the Writ Petition is disposed of. No costs.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

va

To

1.The District Collector,
Chennai Collectorate,
Singaravelu Maaligai, Chennai.

2.The Tahsildar,
Mylapore - Triplicane Taluk Office,
Chennai - 28.

+1 CC to Govt. Pleader sr 25038.
+1 CC to Mr.N.Nagu Sah, Advocate sr 25151.

W.P.No.24085 of 2013

SP (29/07/2020)



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