

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13563 of 2020

Marcus Frederick Lazaro

... Petitioner

Vs.

The Tahsildar,
Taluk Office,
Hospital Road,
Ooty - 643 001.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to consider the representation dated 17.02.2020 to mutate the revenue records and to issue patta in the name of the petitioner of the land in Kadanad, Masingagudi and Sholur Villages generally known as Succoth and Seagur estates, that is, Succoth Estate, in Survey No.294A extent Ac.67.42, S.No.294B extent Ac.69.51, S.No.295A extent Ac.7.45 [Total Acres 144.38]; in seagur Estate Survey No.346/2A extent Ac.7.75, S.No.346/2B extent Ac.7.90, S.No.346/2C extent Ac.8.80 [total acres 24.45] in Masingagudi Village Survey No.238/B extent Ac.30.86, S.No.113C extent Ac.3.30, S.No.113A extent Ac.11.09 out of 14.09 S.No.87 extent Ac.9.87, S.No.90 extent Ac.3.43, S.No.93 extent; Ac.2.08, S.No.94 extent Ac.29.83, S.No.241A extent Ac.90.24, S.No.241C extent Ac.0.27, S.No.242 A extent Ac.12.82, in Sholur Village survey No.415 extent Ac.8.93 [Total extent 202.72 acres] in all villages total extent Ac.371.55, within a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.R.Amizhdhu

For Respondent : Mr. S.N.Parthasarathy

O R D E R

This Writ Petition has been filed for issuance of a writ of mandamus directing the respondents to act on the representation made by the petitioner dated 17.02.2020 to mutate the revenue

records and issue patta in his name with respect to the subject properties.

2. The case of the petitioner is that the property originally belonged to the uncle of the petitioner and he had executed a registered Will in favour of the petitioner on 03.07.2019. He died on 27.07.2019 and thereafter, the properties vested in favour of the petitioner. The petitioner made a representation to the respondent dated 17.02.2020, seeking for the mutation of revenue records and for issuance of patta in the name of the petitioner with respect to the subject properties. Since the same was not considered by the respondent, a reminder was sent on 18.03.2020 by the petitioner. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate direction.

3. Heard Mr.Arundas, learned counsel appearing on behalf of the petitioner and Mr.S.N.Parthasarathy, learned counsel for the respondent.

4. Taking into consideration the facts and circumstances of the case and also the limited prayer sought for by the petitioner, there shall be a direction to the respondent to act upon the representation made by the petitioner dated 17.02.2020 and conduct an enquiry strictly in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of the order.

5. The petitioner is directed to make a fresh representation to the respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To
The Tahsildar,
Taluk Office,
Hospital Road, Ooty - 643 001.

+1cc to Mr.R.Amizhthu, Advocate Sr.31550
+1cc to the Government pleader Sr.31713

W.P.No.13563 of 2020

sr[co]
srg 05/10/2020