

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32147 of 2019 and
WMP.No.32430 of 2019

1.K.Jayanthi
2.L.Jagadish

...Petitioners

Vs.

1.The District Collector,
Kanchipuram District,
Kanchipuram.

2.The Tahsildar,
Pallavaram Taluk,
Kanchipuram District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents to effect necessary changes in the revenue records relating to the petitioners property in new S.No.59/11 at Pammal village, Pallavaram Taluk and thereby issue patta to the petitioners in respect of their property separately as per the patta sub division Application Nos.2019/0105/03/244262 and Application No.2019/0105/03/244264 dated 14.09.2019 and pass orders.

For Petitioners : Mr.N.Suresh
For Respondents : Mr.S.N.parthasarathi,
Government Advocate

O R D E R

This writ petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to consider the online application made by the petitioners and to effect necessary changes in the Revenue Records and issue patta in favour of the petitioners.

2.The case of the petitioners is that their father had purchased the subject property in the year 1969 and patta was also granted in his favour. Thereafter, both the father and mother died and the petitioners are the legal heirs, who became entitled to the property. It is the further case of the

petitioners that the second petitioner has executed a Release Deed in favour of the first petitioner for a certain extent and thereby the first petitioner was allotted 1,136 sq.ft and her brother was allotted 1,137 sq.ft. The petitioners applied for online patta on 14.09.2019. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

3.Mr.S.N.Parthasarathi, learned Government Advocate appearing on behalf of the respondents submitted that the petitioners have not provided with the necessary documents while submitting the application through online and unless the petitioners submit all the relevant documents along with the legal heirship certificate, it will not be possible for the respondents to consider the patta application.

4.The learned counsel appearing for the petitioners submitted that the petitioners will submit all the documents that are required by the second respondent and the second respondent should be directed to consider the application within the time fixed by this Court.

5.This Court has carefully considered the submission made on either side and the materials available on record.

6.The petitioners are tracing their right and through a title and document. Therefore, they will be entitled for a patta only with regard to the property described in the Title Deed. Therefore, it becomes necessary for the petitioners to give the details as per the title document and also submit all the necessary documents before the second respondent to enable the second respondent to process the application. In view of the same, the petitioners are directed to make a fresh online application to the second respondent by providing necessary particulars and also all the relevant documents. The petitioners shall also make a representation along with a copy of the online application and all the relevant documents and also a copy of this order. The second respondent on receipt of the application shall deal with the same strictly in accordance with law and in line with the title document. Necessary orders shall be passed within a period of eight weeks from the date of receipt of the application from the petitioners.

7.This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vkr

To

1.The District Collector,
Kanchipuram District,
Kanchipuram.

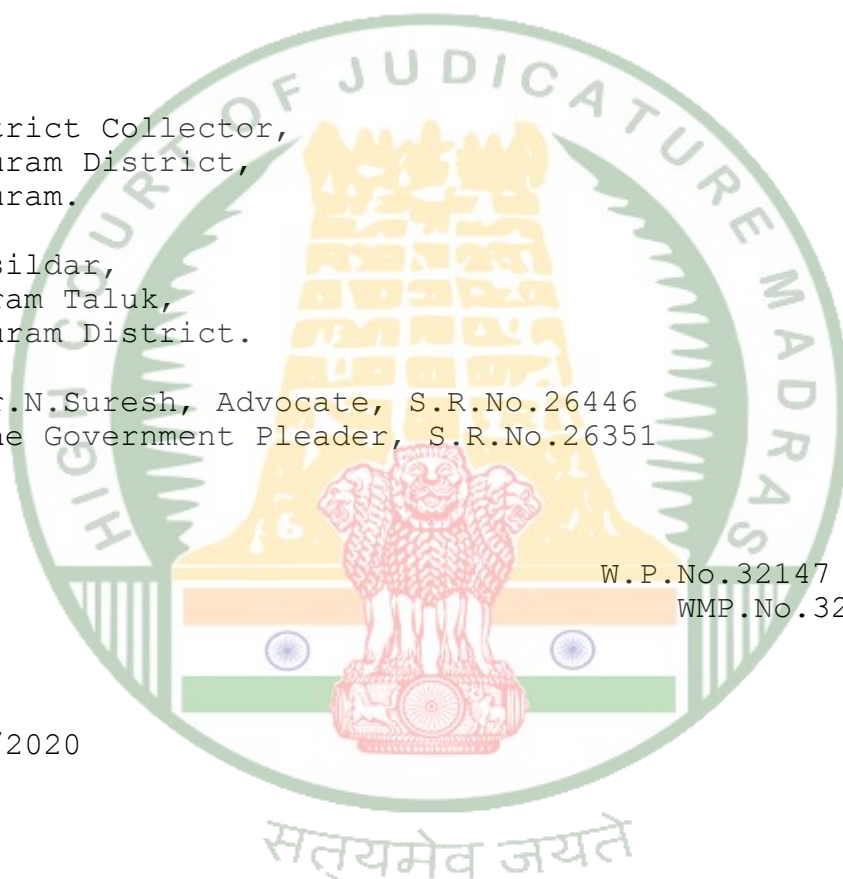
2.The Tahsildar,
Pallavaram Taluk,
Kanchipuram District.

+1cc to Mr.N.Suresh, Advocate, S.R.No.26446

+1cc to the Government Pleader, S.R.No.26351

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PVS (CO)
KKV/25/08/2020



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