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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.19545 of 2015

S.Padma

...Petitioner

Vs

The Sub-Registrar,
Ponneri, Ponneri Taluk,
Thiruvallur District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein namely Sub-Registrar, Ponneri to make necessary entries in the record on the representation dated 20.05.2015 with regard to the property based on the Patta issued by the Tahsildar, Ponneri dated 18.5.2015 situated in Nanja Land Survey No.140/8A2 to an extent of 0 H.A=31.00 at Anuppampattu Village, Ponneri Taluk vide proceedings of the District Revenue Officer, Thiruvallur No.Na.Ka.7036/2013/A-3 dated 7.1.2015.

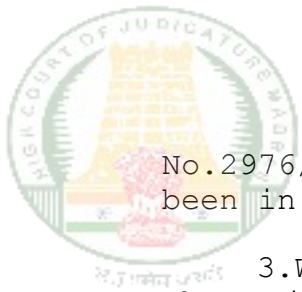
For Petitioner : Mr.R.Balasubramanian

For Respondent : Ms.Akila Rajendran
Government Counsel

O R D E R

The prayer sought for herein is for a writ of mandamus directing the respondent herein namely Sub-Registrar, Ponneri to make necessary entries in the record on the representation dated 20.05.2015 with regard to the property based on the Patta issued by the Tahsildar, Ponneri dated 18.5.2015 situated in Nanja Land Survey No.140/8A2 to an extent of 0 H.A=31.00 at Anuppampattu Village, Ponneri Taluk vide proceedings of the District Revenue Officer, Thiruvallur No.Na.Ka.7036/2013/A-3 dated 7.1.2015.

2.The case of the petitioner is that, the petitioner purchased the property i.e., Nanja land at S.No.140/8 to the extent of 0.76 cents located at Anuppampattu Village, Ponneri Taluk from the erstwhile owner of the property one Sugananda Mudaliar. Since the purchase which was registered as Document



No.2976/89 at the respondent Register Office, the petitioner had been in possession and enjoyment of the property.

3. When that being so, it is the case of the petitioner that, the original owner's wife one Pattammal tried to get patta in her name and with the help of that patta, she wanted to exploit the property to create the third party right without any knowledge of the petitioner.

4. Therefore, in order to cancel the patta issued in the name of Pattammal, the petitioner had approached this Court by filing W.P.No.15047 of 2013, where, an order was passed on 10.04.2014 directing the Revenue Authorities concerned to cancel the patta issued in the name of Pattammal and to issue the patta in favour of the petitioner.

5. Pursuant to the said order, the District Revenue Officer, Thiruvallur, after having verification of the parties concerned had passed an order on 07.01.2015 issued patta in favour of the petitioner. Therefore, the petitioner had made a request through the representation dated 20.05.2015 to the respondent to register the said patta along with the document already been registered as the patta had been issued on 07.01.2015 by the District Revenue Officer to and in favour of the petitioner in respect of the property in question. Since the said representation of the petitioner dated 20.05.2015 has not been considered by the respondent and no orders have been passed regarding the said patta issued on 07.01.2015 in favour of the petitioner, she has approached this Court by filing the present writ petition.

6. Heard Mr.R.Balasubramanian, learned counsel appearing for the petitioner, who after having reiterated the aforesaid factual matrix has sought for indulgence of this Court.

7. Heard Ms.Akila Rajendran, learned Government Counsel appearing for the respondent, who would submit that, if such a representation was given by the petitioner on 20.05.2015, the same certainly would be considered and necessary orders to that effect would be passed within a time frame on merits.

8. Considering the limited scope of the prayer sought for and by taking into account the aforesaid factual matrix and having regard to the said submission made by the learned counsel appearing for both sides, this Court is inclined to dispose of this writ petition with the following orders.

That there shall be a direction to the respondent to consider the representation of the petitioner dated 20.05.2015 and pass orders thereon on merits and in



accordance with law within a period of six weeks from the date of receipt of a copy of this order.

9. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

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Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

Sgl

To

The Sub-Registrar,
Ponneri, Ponneri Taluk,
Thiruvallur District.

+1 cc to Mr.R.Balasubramanian, Advocate Sr.No.34853

+1 cc to the Government Pleader, Advocate Sr.No.34967, 34989

W.P.No.19545 of 2015

JPL (CO)
RVM(18/08/2021)