



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
W.P.No.4547 of 2020

A.Mohammed Hanifa,
S/o. J.Allaudeen

... Petitioner

Vs.

The Tahsildar,
Office of the Tahsildar,
Purasawalkam,
Chennai.

... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to issue a patta in favour of the petitioner's name relating to the property situated at Old No.7, New No.17 A, New Parthasarathy Naidu Street, Puliaanthoppu, Chennai-600 012, Purasawalkam Taluk, Vepery Village, comprised in R.S.No.1762/25, measuring an extent of 1444 sq.ft. and to pass orders within a time frame limit.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.Yogesh Kannadasan,
Government Advocate

O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction directing the respondent to issue a patta in favour of petitioner.

2. The grievance of the petitioner is that, the petitioner has obtained a decree for specific performance in C.S.No.235 of 2017 dated 16.04.2018 and the decree was also registered before the Sub-Registrar, Periamet, and he is in possession and enjoyment of the property. Hence, he has approached the respondent Tahsildar to issue patta in his favour, that was not considered. Hence, the present Writ Petition has been filed by the petitioner.

3. Admittedly, the petitioner has got a decree for specific performance, however, subsequent to the decree, the sale deed was not executed in favour of petitioner and the title was also not transferred. In the said circumstances, unless the title is transferred, the petitioner cannot seek for patta, and hence, the application filed by the petitioner cannot be considered by the respondent at this stage. Therefore, the prayer sought by the petitioner cannot be



granted at this stage. Accordingly, this Writ Petition stands dismissed. However, liberty is granted to the petitioner to approach the respondent after getting the sale deed registered in his favour in accordance with law. No costs.

Sd/-

Assistant Registrar(CS IX)

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Sub Assistant Registrar

rpp

To
The Tahsildar,
Office of the Tahsildar,
Purasawalkam, Chennai.

+lcc to M/s.C.V.Kumar, Advocate SR.No. 33752

W.P.No.4547 of 2020

KJ(CO)
B.VC(22.07.2021)