



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.14522 of 2021

1.A.Thangarasu
2.T.Jayaseelan
3.T.Thangeswaran

...Petitioners

Vs.

The Tahsildar
Kurinjipadi Taluk,
Cuddalore District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to effect transfer of patta in the name of petitioners in respect of the landed property measuring an extent of 44 cents comprised in Old Survey No.388/2 and New Survey No.119/10 at Karunkuzhi Village, Kurinjipadi Taluk, Cuddalore District, pursuant to the petitioners' representation dated 02.12.2019 under Tamil Nadu Patta Passbook Act, within a time frame as may be fixed by this Court.

For Petitioners .. Mr.R.Veeramani

For Respondent .. Mr.Yogesh Kannadasan
(Govt.Advocate)

ORDER

The brother of the 1st writ petitioner M.Kuppusamy died on 12.11.1984. The Death Certificate has been filed as document with the petition. The said brother M.Kuppusamy was the owner of the lands measuring to an extent of 36 cents in Old S.No.388/2 and New S.No.119/10 at Karunguzhi Village, Kurinjipadi Taluk, Cuddalore District.

2.The said M.Kuppusamy died as bachelor. The 1st petitioner claims to be a surviving legal representative of his brother M.Kuppusamy and the 2nd and 3rd petitioners are the sons of the 1st petitioner herein. They made an application to the respondent, Tahsildar, Kurinjipadi Taluk, Cuddalore District, seeking of patta. This representation was made on 02.12.2019.



3.Mr.R.Veeramani, learned counsel for the petitioner expresses his grievance that though more than a year has passed, since issuing such a representation, the respondent had not taken any steps at all. The learned counsel very fairly stated that an obligation is placed on the respondent to call upon the petitioner for enquiry and to examine the records which they have and to conduct enquiry, which enquiry should be summary in nature and thereafter, proceed to pass orders on the representation, if there are no objections, it would only be appropriate that the patta has to transfer in the name of the petitioners.

4.A mandamus is therefore directed to the respondent / Tahsildar, Kurinjipadi Taluk, Cuddalore District, to do the needful by issuing notice to the petitioner and examining the documents produced by them and thereafter, pass necessary orders within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above observations, the Writ Petition is allowed.
No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

smv

To

The Tahsildar
Kurinjipadi Taluk,
Cuddalore District.

+lcc to Mr.R.Veeramani, Advocate, Sr.40157
+lcc to the Government Pleader, Sr.40774

W.P.No.14522 of 2021

EV[co]
NSK 06/09/2021