



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.17767 of 2021

R. Thirugnansambandham

... Petitioner

-Vs-

1. The District Collector,
O/o the Collectorate,
Tiruvannamalai.

2. The Special Tahsildar,
Town Land Tax Scheme
Tiruvannamalai.

3. The Tahsildar,
Tiruvannamalai.

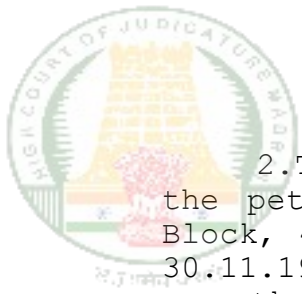
... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 08.10.2020 which is praying for issue of Patta to the vacant House site situated in Tiruvannamalai Town, 4th Ward, 10th Block in T.S. No.345/2 Plot No.118 in Surya Nagar described in the schedule in the Sale Deed vide document No.120/1972 on the file of SRO, Tiruvannamalai.

For Petitioner	:	Mr.T.S.N. Prabhakaran
For Respondents	:	Mr. Yogesh Kannadasan (Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction the 3rd respondent to consider the petitioner's representation dated 08.10.2020 which is praying for issue of Patta to the vacant House site situated in Tiruvannamalai Town, 4th Ward, 10th Block in T.S. No.345/2 Plot No.118 in Surya Nagar described in the schedule in the Sale Deed vide document No.120/1972 on the file of SRO, Tiruvannamalai.



2. The learned counsel for the petitioner would submit that the petitioner purchased a vacant house site situated at 10th Block, 4th Ward in Survey No.345/2, Plot No.118, as early as on 30.11.1971 by way of registered Sale Deed document No.120/1972 on the file of the SRO, Tiruvannamalai. However, inadvertently, the petitioner has failed to get Patta from the Revenue Officials then and there. Now, while the petitioner wanted to settle the said vacant house site to and in favour of his daughter with the consent of his sons, the Registering Authority concerned required the petitioner to produce the Patta for the aforesaid vacant house site. Hence, the petitioner approached the 2nd respondents by way of a representation dated 08.10.2020. On his representation, the 2nd respondent has sent a letter dated 05.01.2021 vide Proceeding Ma. Pa. No.951/2020 calling upon the petitioner herein to appear him on 20.01.2021 at about 11 A.M along with all related documents of the Vacant House Site. Accordingly, the Brother in law of the petitioner has appeared before the 2nd respondent since the petitioner was in ill health condition on that day where the all Copy of the documents that have been annexed with the representation, have been verified with the Original Documents and it was informed that the Patta will be issued in the 1st week of February, 2021. Further, the 1st respondent, the District Collector, Tiruvannamalai, was also pleased to send a copy of letter dated 31.10.2020 to the petitioner herein vide Proceeding No.O.Mu. (AA2)25355/2020 addressed to the 2nd respondent. Now, the entire files are kept with the 3rd respondent herein, who is the proper authority to issue the Patta.

3. It has been further submitted that while the 3rd respondent had issued Patta pertaining to the Plot Nos.117 and 119, which are adjacent plots of the petitioner's plot, the patta has not been issued to the petitioner. Hence, the petitioner seeks a Writ of Mandamus to direct the 3rd respondent to consider the representation dated 08.10.2020 made by the petitioner herein to issue of Patta to the Vacant House Site situated in Tiruvannamalai Town.

3. The learned Government Advocate would submit that if the petitioner has purchased the said Vacant House site by valid Sale Deed, the representation of the petitioner may be considered by the 3rd respondent herein to issue Patta in the name of the petitioner.

4. Having considered the aforesaid facts and circumstances of the case, the 3rd respondent herein is directed to consider the representation dated 08.10.2021 filed by the petitioner herein within a period of 8 weeks from the date of receipt of copy of this order and pass appropriate orders after affording sufficient opportunity to the petitioner herein since the



petitioner herein wants to settle the said property in his daughter's favour.

5. With the aforesaid directions, this Writ petition is allowed. Consequently, connected miscellaneous petition is closed if any. No costs.

Sd/-
Assistant Registrar(CS IV)
//True Copy//

Sub Assistant Registrar

Lbm

To

1. The District Collector,
O/o the Collectorate,
Tiruvannamalai.
2. The Special Tahsildar,
Town Land Tax Scheme
Tiruvannamalai.
3. The Tahsildar,
Tiruvannamalai.

+1CC to Mr.T.S.N.Prabhakaran, Advocate, Sr.No.42881
+1CC to Government Pleader, Sr.No.43084

W.P. No.17767 of 2021

GPL (CO)
K.RK. (20.09.2021)