



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.17311 of 2021

Mrs. Shaheen W/o. Mohammed Saleem

... Petitioner

-Vs-

1. The District Collector,
Chennai Collectorate Office,
No.62, Rajaji Salai, 4th Floor,
Chennai - 600 001.

2. The Tahsildar,
Tondiarpet Taluk Office,
No.473, T.H. Road, Tondiarpet,
Chennai - 600 081.

... Respondents

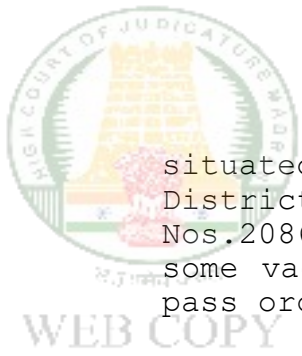
PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 14.07.2021 in respect of issuance of name change in Patta for the house property situated in Old Washermenpet, Tondiarpet, North Chennai District comprised in RS. No.2086/12 & 2088/4 jointly built as an individual house with some vacant space of total extent 731 Sq.ft at the earliest and pass orders accordingly.

For Petitioner : Mr.Gokula Rao

For Respondents : Mr. K. M. D. Muhilan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the the respondents to consider the petitioner's representation dated 14.07.2021 requesting to change the Patta in the name of the petitioner with respect to the house property



situated in Old Washermenpet, Tondiarpet, North Chennai District comprised in RS. No.2086/12 & 2088/4 and R.S. Nos.2086/12 & 2088/5 jointly built as an individual house with some vacant space of total extent 731 Sq.ft at the earliest and pass orders accordingly.

2.The case of the petitioner is that the petitioner has purchased the house property under R.S. Nos.2086/12 & 2088/4, First Part ie. 528 Sq.Ft. from Mrs. Lakshmi, Mr. Raja, Mr.Sridhar & Mr.Nataraja on 30.08.2018 by virtue of Sale Deed in Document No.2802 of 2018 and Second Part under R.S. Nos.2086/12 & 2088/5 ie. 203 Sq.Ft. from Mrs.Munniammal, Mrs. Jothi & Mrs. Mariammal on 27.09.2018 through a Sale Deed in Document No.3268 of 2018. Thus, the petitioner has purchased the property of total extent 731 Sq.Ft. in the aforesaid R.S. Nos and she is in possession and enjoyment of the aforesaid properties along with her family for the past three years. While being so, the petitioner had approached the 2nd respondent herein on several occasion to change of Patta in the name of the petitioner after submitting relevant documents of the properties before the 2nd respondent. However, the 2nd respondent has not take any action for mutation of name in the Patta even though the petitioner run from pillar to post in the 2nd respondent office for the purpose of change of Patta in her name. Finally, she was directed to make an application for name change in Patta by paying the prescribed fees in E-Seva Center. According to direction of the 2n respondent, the petitioner has made an application through E-Seva Centre before the 2nd respondent and also got the application number as 2019/0153/02/05293 dated 05.08.2019. After having the receipt of the application, the petitioner has approached the 2nd respondent on several occasion for name change in Patta for the said property. However, the officials of the 2nd respondent have not taken any action against the aforesaid application submitted by the petitioner herein. Thereafter, the petitioner has made an representation dated 14.07.2021 before the respondents to consider the aforesaid application for name change in the Patta in her favour. Despite repeated requests made by the petitioner herein before the 1st and 2nd respondents, there is no action taken by the respondents herein. Hence, the petitioner is left with no other alternative remedy by invoking Article 226 of Constitution of India and hence has filed the present Writ petition for issuance of Writ of Mandamus directing the respondents to consider the representation dated 14.07.2021 submitted by the petitioner herein before the respondents.

3.The learned Government Advocate would submit that the petitioner has submitted an application in reference No.2019/0153/02/05293 on 05.08.2019 through on-line for transfer of patta in her name. However, necessary document to that



effect, has not been filed along with the Writ petition. Hence, this Court by its order dated 18.08.2021 has made a suggestion to the petitioner to examine the prospect of filing a fresh applications through on-line for name change in the Patta. Hence, the petitioner has applied again fresh applications through on-line on 19.08.2021 for change of Patta in the name of the petitioner in the Survey Nos.2086/12 and 2088/4 for the said property. Under such circumstances, the respondents may be directed to take appropriate action on the fresh applications filed by the petitioners herein.

4. In view of the submissions made by the learned Government Advocate, as there is no action in the earlier on-line application dated 05.08.2019 and her representation dated 14.07.2021 with regard to change of patta in the name of the petitioner, the petitioner has approached this Court for appropriate direction. However, the fresh on-line applications for the change of patta in the name of the petitioner in the Survey Nos.2086/12 and 2088/4 for the aforesaid property, have been filed as per directions of this Court and the same shall be considered by the Authorities concerned within a period of twelve weeks from the date of receipt of copy of this order after verifying the related documents and pass appropriate orders on her representation after affording sufficient opportunity to the petitioner herein.

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

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Lbm

To:

1. The District Collector,
Chennai Collectorate Office,
No.62, Rajaji Salai, 4th Floor, Chennai - 600 001.



2. The Tahsildar,
Tondiarpet Taluk Office,
No.473, T.H. Road, Tondiarpet, Chennai - 600 081.

WEB COPY

+2ccs to Mr.Gokula Rao, Advocate, S.R.No.44130

+1cc to the Government Pleader, S.R.No.44244

W.P. No.17311 of 2021

GPL (CO)
SU (24/09/2021)