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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.17798 OF 2021

M. Kupendiran

... Petitioner

-Vs-

The Tahsildar,
Kandacheepuram(12) Taluk,
Villupuram (07) District.

... Respondent

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondent to mutate Patta in favour of Petitioner for Ayyan Punjai Survey No.158/1A and 158/1B for the land situated at Veerangipuram Village, Arangandunallur, Villupuram District by virtue of Settlement Deed dated 24.05.2019 bearing Document No.1510/2019 and 1512/2019 and pass orders accordingly.

For Petitioner :: Mr.S.Kumaresan

For Respondent :: Mr. Yogesh Kannadasan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the respondent to mutate Patta in favour of Petitioner for Ayyan Punjai Survey No.158/1A and 158/1B for the land situated at Veerangipuram Village, Arangandunallur, Villupuram District by virtue of Settlement Deed dated 24.05.2019 bearing Document No.1510/2019 and 1512/2019 and pass orders accordingly.



2. The learned counsel for the petitioner would submit that the property in Survey No.158/2B having large extent of land was partitioned by the petitioner along with other Family members, through a registered partition deed dated 24.05.2019 having document No.1508/2019 on the file of Sub-Registrar Office, Arakendanalur. From the said partition, one of the co-owner namely Kannagi who is the sister of the petitioner herein, made two settlement deed in favour of the petitioner herein in document No.1510/2019 and 1512/2019 for the property comprised in Survey No.158/1A and 158/1B having extent of 00.20.24 ares and 0.30.00 ares altogether 50.24 ares on the file of the Sub-Registrar Office, Arankandanallur. In pursuance of the execution of settlement deeds in favour of the petitioner, the petitioner has applied on-line application dated 15.04.2021 to the respondent for mutation of revenue records in the name of the petitioner. As there is no action on the side of the respondent, the petitioner has filed the present Writ Petition seeking for Writ of Mandamus directing the respondent to mutate the Pata in the name of the petitioner.

3. The learned Government Advocate would submit that even though the petitioner applied on-line application for mutation of Patta in his name, if there is no proper records for the said property bearing Survey Nos.158/1A and 158/1B, the application could not be processed by the authority concerned. Hence, the petitioner can approach the respondent with documents along with details of the property from whom the said property was inherited to the petitioner.

4. Heard, the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent as well as perused the material available on record.

5. Having considered the aforesaid facts and circumstances of the case and submissions made by the learned Government Advocate, this Court is of the view that the Authority concerned/respondent herein is directed to look into the matter and pass appropriate orders on his on-line application dated 15.04.2021 within a period of 12 weeks from the date of receipt of copy of this order after verifying the documents relied by him and whether the petitioner is in possession and enjoyment of the said property.



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

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Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

Lbm

To:

The Tahsildar,
Kandacheepuram(12) Taluk,
Villupuram (07) District.

+1cc to Mr.S.Kumaresan, Advocate, S.R.No.42710

+1cc to the Government Pleader, S.R.No.43086

W.P. No.17798 of 2021

PL(CO)
RLP(22/09/2021)