



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.20372 of 2021

- 1.Vimala Lakshmanan.
- 2.Anitha LAKshmanan.
- 3.Dr.Ajay Lakshmanan.

...Petitioners

Vs.

1. The District Collector,
Singara Velan Malaigai,
Chennai - 1.
2. The Tashildar,
Mylapore,
Chennai - 4.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider petitioners representation for issuance of patta dated 21.08.2019 in respect of the property situated at Old No.188, New No.168, Peters Road, Royapettah, Chennai - 14 in Old S.No.357/3 part, Re-Survey No.357/6, Block No.12, Triplicane Division measuring 1 ground and 2388 Sq.ft. within a time frame.

For Petitioners : Mrs. R.T.Shyamala.

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioners representation for issuance of patta dated 21.08.2019 in respect of the property situated at Old No.188, New No.168, Peters Road, Royapettah, Chennai - 14 in Old S.No.357/3 part, Re-Survey No.357/6, Block No.12, Triplicane Division measuring 1 ground



and 2388 Sq.ft. within a time frame.

2.The case of the petitioners is that the above said property originally belongs to the first petitioner's father viz., M.K.Padmanaban and he purchased the same by way of a registered Sale Deed dated 19.12.1955 vide Document No.1056 of 1955 before the Sub-Registrar Office, Triplicane and he also constructed a house and executed a Will dated 22.10.1976 in favour of the first petitioner.

3.The petitioners submit that the said Will was probated by this Court dated 21.10.1983 in O.P.No.247 of 1983 and the first petitioner executed a registered Settlement Deed on 04.03.2010 by a registered Document No.243 of 2010 before the Sub-Registrar Office, Triplicane in favour of her son and daughter viz., the second and third petitioners herein and reserved life estate to her and after her life time, she gave absolute right over the above mentioned property in favour of her daughter and son/the second and third petitioners.

4.The petitioners further submit that the first petitioner had sent a representation to the respondents to transfer the patta in their name jointly along with all the relevant documents and thereafter, they gave a representation but in spite of sending representations, till date no action has been taken by the respondents.

5.The petitioners have no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, the writ petition filed.

6.The learned counsel appearing for the petitioners submit that the petitioners will be satisfied if a direction is issued to the respondents to consider the petitioners representation for issuance of patta dated 21.08.2019 in respect of the property situated at Old No.188, New No.168, Peters Road, Royapettah, Chennai - 14 in Old S.No.357/3 part, Re-Survey No.357/6, Block No.12, Triplicane Division measuring 1 ground and 2388 Sq.ft. within a time frame.

7.Heard, learned counsel for the petitioners and learned Government Advocate for the respondents and perused the materials available on record.

8.It is seen from the documents produced and the title documents, the petitioners are in the possession of the said property and they have sent representations. But no action taken has been taken by the authorities. The modus for applying issuance of patta has been changed and the petitioners have to file an application by way of on-line to the Competent Authority



for obtaining the same.

9. In view of the above facts and circumstances and the submissions made by the learned counsel for the petitioners, this Court is of the view that the Writ Petition is disposed of by directing the petitioners to apply through on-line for issuance of patta within a period of two weeks from the date of receipt of a copy of this order and the respondents shall consider the same along with the representation dated 21.08.2019 sent by the petitioners for issuance of patta along with all the relevant documents, in accordance with law, within a period of three months from the date of receipt of on-line application. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

gba/pam

To

1. The District Collector,
Singara Velan Malaigai,
Chennai - 1.
2. The Tashildar,
Mylapore,
Chennai - 4.

+1cc to M/s.R.T.Shyamala, Advocate, S.R.No.49296

+1cc to the Government Pleader, High Court, Madras, S.R.No.49766

W.P.No.20372 of 2021

SJ (CO)
SU (04/10/2021)