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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19211 of 2019

Shantha Natraj

... Petitioner

Versus

1. The District Collector,
Collectorate,
Kancheepuram.
2. The District Revenue Officer,
Collectorate,
Kancheepuram.
3. The Revenue Divisional Officer,
Sholinganallur Taluk,
Sholinganallur.
4. The Tahsildar,
Sholinganallur (II) Taluk,
Sholinganallur.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 4th respondent herein, to process the application dated 15.10.2018 for the issue of Patta in the name of the petitioner, in respect of land bearing Plot No.23 in "Ram Nagar South Extension Layout", Pallikaranai Village, Sholinganallur Taluk (formerly Tambaram Taluk), Kancheepuram District, comprised in Survey No.32/1, present Survey No.31/2A1A2, measuring an extent of 4800 sqft.

For Petitioner : Mr.K.V.Babu
For Respondents : Mr.K.M.D.Muhilan
Government Advocate.

ORDER

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the 4th respondent herein to process the application dated 15.10.2018 for the issue of Patta in the name of the petitioner, in respect of land bearing Plot



No.23 in "Ram Nagar South Extension Layout", Pallikaranai Village, Sholinganallur Taluk (formerly Tambaram Taluk), Kancheepuram District, comprised in Survey No.32/1, present Survey No.31/2A1A2, measuring an extent of 4800 sqft.

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2. According to the petitioner, she was purchased a vacant piece of land bearing Plot Nos.23 and 56 in the layout of house sites known as "Ram Nagar South Extension layout" (approved in LPDM/DDTP No.328/73) in Pallikaranai Village, formerly Tambaram Taluk, now Sholinganallur Taluk, Kancheepuram District, comprised in Survey No.32/1, measuring an extent of 9600 sqft., by way of sale deed, dated 03.02.2003, registered as Doc.No.376 of 2003 in the office of the District Registrar, Madras South, executed by Mr.N.V.Kailasam @ Kailash Sharma, represented by his Power Agent Mr.V. Muralidharan. After purchasing the said land, a patta has been issued in his name for the entire extent by the 4th respondent herein, bearing patta No.16320 in respect of the said land. Thereafter, the petitioner sold a portion of the land in Plot No.56 on the northern side, measuring an extent of 2400 sqft., in favour of Mr.Saravanan Vinayakam and Mrs.Ramanibai Saravanan. Moreover, under a sale deed dated 12.06.2013, registered as Doc.No.5814 of 2013 in the office of the District Registrar, Madras South, the petitioner sold the Southern portion of Plot No.56, measuring an extent of 2400 sqft., in favour of M/s. Prudent Homes and after having sold the entire Plot No.56, comprised in Plot No.23 measuring an extent of 4800 sqft., After purchasing the said land, the purchasers obtained separate patta in respect of the lands purchased by them vide patta bearing No.32082 with sub divided Survey Nos.31/1A1B in the name of the Mrs.Ramanibai Saravanan and Mr.Saravanan Vinayakam and Patta bearing No.32083 with sub divided Survey No.31/1A1C in the name of M/s.Prudent Homes. But, however, subsequent to the sub division of the larger extent of the land under Survey No.32/1, as sub divided Survey Nos.31/1A1B and 1A1C, the patta in respect of the balance extent of the land measuring to an extent 4800 sqft., or thereabouts, retained by the petitioner, has not been issued in his favour after the sub division. Therefore, the petitioner has applied for patta in his name in respect of the balance extent of land on 15.10.2018 and the entire original documents have been inspected by the fourth respondent and acknowledgment has been issued in this regard, but the 4th respondent has not taken any steps in this regard. Hence, the petitioner has come forward with the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the Respondents to consider the petitioner's representation dated 15.10.2018 and dispose of the same within a stipulated time that may be fixed by this Court.



4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 15.10.2018 and pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

msm

To

1. The District Collector,
Collectorate,
Kancheepuram.
2. The District Revenue Officer,
Collectorate,
Kancheepuram.
3. The Revenue Divisional Officer,
Sholinganallur Taluk,
Sholinganallur.
4. The Tahsildar,
Sholinganallur (II) Taluk,
Sholinganallur.

+1cc to the Government Pleader, S.R.No.42680

W.P.No.19211 of 2019

CB(13/10/2021)