



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2021

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE V BHAVANI SUBBAROYAN

W.P No.22001 of 2021

N.Anwar Basha

..Petitioner

Vs

The Tahsildar
Tondiarpet Taluk

..Respondent

Prayer: This Writ Petition is filed under Section 226 of Constitution of India to issue a Writ of Mandamus directing the respondent to consider and dispose of the petitioner's representation dated 17.07.2020 in accordance with law.

For Petitioner : Mr.K.N.Nataraj
For Respondent : Mr. Yogesh Kannadasan
Government Advocate

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent to consider and dispose of the petitioner's representation dated 17.07.2020 in accordance with law.

2. The case of the petitioner is that the petitioner had purchased a property located in Muthiyal Maistry Street, Lalagunta, Old Washermenpet, Chennai-600 021 measuring an extent of 1,204 sq.ft. from one Ameena Bi under a deed of sale dated 20.05.1982 vide doc.no.882 of 1982, Book I on the file of SRO, Royapuram. Originally the larger extent of property is measuring 2,682 sq.ft. out of which, 1,204 sq.ft. forms a part was owned and possessed by one Muthiah. He sold the larger extent of property to Ameena Bi, petitioner's vendor by way of



sale deed dated 12.09.1974, registered as doc.no.2150 of 1974 on the file of SRO, Royapuram. At the time of purchasing the said property, one Ammer Bi was a tenant in a portion of the property. She was related to Ameena Bi, petitioner's vendor. At her request, the petitioner permitted the said tenant, Ameer Bi to reside there in a portion since the petitioner was in a foreign soil earning his livelihood. Taking advantage of the absence of the petitioner, she made an attempt to grab the property by filing litigations one after another, but could not succeed. Even if there are litigations, which are still to be adjudicated either way, which is not a bar for the petitioner to obtain patta in his name as a rightful title owner over the said property, having acquired the same for consideration by way of a deed of sale. The petitioner took steps to evict her by due process of law. In the meanwhile, he applied for patta also and made a representation on 17.07.2020 to the respondent herein. The respondent also inspected the premises and the petitioner also produced the title deeds to substantiate the claim. However, the respondent neither issued patta nor replied for the reasons best known to him. Hence the petitioner has come forward with the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent and also perused the materials on record.

4. Without going into the merits of the case, this Court is inclined to direct the respondent to consider the representation of petitioner dated 17.07.2020 and pass orders on merits and in accordance with law within a period of five months from the date of receipt of copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

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To

The Tahsildar
Tondiarpet Taluk,
Chennai-81.

+1CC to Mr.K.N.Nataraj, Advocate, SR.No. 53843

+1CC to The Government Pleader, SR.No. 54239

W.P No.22001 of 2021

PVS(CO)

B.VC (08/11/2021)