



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.24251 of 2019
and
W.M.P. No.24020 of 2019

1. Mr.Nandagopal

2. Mr.Babu Chowdary,

... Petitioners

-Vs-

The Tahsildar,
Alandur Taluk,
Chennai 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 herein to consider and dispose of the petitioner's application dated 03.04.2019 for sub-division patta transfer in respect of the property situate at Mugalivakkam Village, formerly Sriperumbudur Taluk, presently Alandur Taluk, formerly Kancheepuram District, present Chennai District, comprised in Survey No.76/8, bearing plot numbers 108 and 109 ad-measuring an extent of 5280 Sq. Ft. within a time frame as fixed by this Hon'ble High Court.

For Petitioners :: Mr.D. Parthasarathy

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 1st respondent herein to consider and dispose of the petitioner's application dated 03.04.2019 for sub-division patta transfer in respect of the property situate at Mugalivakkam Village, formerly Sriperumbudur Taluk, presently Alandur Taluk, formerly Kancheepuram District, present Chennai District, comprised in Survey No.76/8, bearing plot numbers 108 and 109 ad-measuring an extent of 5280 Sq. Ft. within a time frame as fixed by this Hon'ble High Court.



2. The learned counsel for the petitioners would submit that the petitioners had purchased jointly the property situate at Mugalivakkam Village, formerly Sriperumbudur Taluk, presently Alandur Taluk, formerly Kancheepuram District, present Chennai District, comprised in Survey No.76/8, bearing plot numbers 108 and 109 ad-measuring an extent of 5280 Sq. Ft. from one Chellam Venkatraman vide Sale Deed dated 09.11.2018 registered as document No.16692 of 2018 on the file of the SRO, Kundrathur. The same is being enjoyed and possessed by the petitioners herein. Subsequent to the aforesaid purchase of the property, the petitioners had filed an application on 03.04.2019 before the 1st respondent for sub-division Patta transfer for the aforesaid property. Though the application is pending from 03.04.2019, no action has been taken on the application in spite of repeated request made by the petitioner herein. Hence, the petitioners who have no other efficacious and alternative remedy except to approach this Court by invoking Article 226 of the Constitution of India, have filed the present Writ petition for issuance of Writ of Mandamus, to direct the respondents to take action on the representation made by him.

3. The learned Government Advocate would submit that the petitioners have purchased the said property by virtue of Sale Deed dated 09.11.2018 in Document No.16692 of 2018 on the file of the SRO, Kundrathur. Since the petitioners have valid documents with regard to the property, the respondent may be directed to consider the application dated 03.04.2019 made by the petitioner herein.

4. Heard, the learned counsel for the petitioners and the learned Government Advocate for the respondents as well as perused the material available on record.

5. In view of the aforesaid submissions made by the learned Government Advocate, the respondent is directed to consider the application dated 03.04.2019 filed by the petitioners within a period of 16 (Sixteen) weeks from the date of receipt of copy of this order.

6. With the aforesaid direction, this Writ petition is disposed of. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



Lbm

To:

The Tahsildar,
Alandur Taluk,
Chennai District.

+1cc to the Government Pleader Sr No.43666

W.P. No.24251 of 2019
and
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SRII (CO)
PR (07/10/2021)