



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WP.No.35772 of 2019

[Video Conferencing]

K.Sundararaj

...Petitioner

Versus

The Tahsildar

Cheyyur Taluk

Formerly - Kancheepuram District

Presently - Chengalpattu District.

...Respondent

PRAYER : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent to consider the petitioner's application for issuance of patta vide application number 2016/0105/03/039246 dated 25.10.2016, issue patta to the petitioner's property.

For Petitioner : Mr. Mr. B.R.Shankaralingam

For Respondent : Mr. K.M.D.Muhilan
Government Advocate

ORDER

The petitioner had purchased vacant housing site bearing No. 2 in Jai Sakthi layout at No.3, Sothupakkam Village, Cheyyur Taluk, formerly Kancheepuram District, presently Chengalpattu District, by sale deed dated 08.10.2014. He thereafter, made an application for issuance of transfer of patta for the housing site. He had made an application in No. 2016/0105/03/039246.

2. It is stated that inspite of several reminders, the respondent had not come forward to issue patta. Thereafter he had given three more applications on 19.01.2017 in Application No. 2016/0105/03/039246; on 14.02.2017 in Application No. 2017/0105/03/050963 and again directly on 05.02.2019. It is stated that inspite of the said representations/applications, the respondent/Tahsildar, had failed to discharge his public duty. Even before this Court, pending the writ petition, a representation was made by the then Special Government Pleader



that the order would be complied with and as a matter of fact, it had been stated that an enquiry had been fixed on 25.02.2020.

3. The learned counsel for the petitioner stated that the petitioner went to the office of the respondent on 25.02.2020 but the respondent was not available even thereafter the petitioner had gone to the office of the respondent on atleast three further occasions but again the respondent had failed to act on the representations of the petitioner.

4. A mandamus is therefore directed to the respondent/ Tahsildar, Cheyyur Taluk, Chengalpattu District, to take on record the representation/application given by the petitioner on 25.10.2016, 19.02.2017, 14.02.2017 and lastly on 05.02.2019, examine the petitioner, examine the records of the petitioner and if there is no other alternate claimant, grant patta to the petitioner with respect to the house site which the petitioner had purchased in Plot No.2, Jai Sakthi layout, at No.3, Sothupakkam Village, Cheyyur Taluk, in Chengalpattu District. The respondent is under an obligation to discharge his public duty in the aforesaid terms within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above said observation, this Writ Petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Vsg

To

The Tahsildar
Cheyyur Taluk
Formerly - Kancheepuram District
Presently - Chengalpattu District.

+1cc to Mr.B.R.Shankaralingam, Advocate, S.R.No.40463

WP.No.35772 of 2019

SRA(CO)
RGA(01/09/2021)