



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No. 35563 of 2019

Subbaiah

...Petitioner

Vs.

1. The District Collector,
District Collector,
Thiruvallur District.

2. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to take necessary action on the petitioner's Patta transfer application No.2019/0105/01/224421, dated 09.07.2019 and to issue patta in his name within a stipulated period.

For Petitioner : Mr.M. Madhan Kumar

For Respondents: Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the 2nd respondent to take necessary action on the petitioner's Patta transfer application No.2019/0105/01/224421, dated 09.07.2019 and to issue patta in his name within a stipulated period.

2. According to the petitioner, he is a senior citizen, and was purchased a land measuring to an extent of 0.42 cents at Vilangadupakkam Village, Thiruvallur District, comprised in Survey No.681, 682/3, and 684/3 by way of sale deed, dated 17.04.2007 registered in Doc.No.5756 of 2007 on the file of Sub Registrar Office, Redhills, out of his hard earned money from his grocery shop. Subsequently, he decided to settle his above mentioned property to his daughter and his grand children for



which, he necessarily need a patta for his land. Therefore, he made an application before the Tahsildar, Madhavaram Taluk, for name transfer of Patta along with necessary documents. Thereafter, he sent another application to the Ponneri Taluk Office, which was acknowledged by the 2nd respondent/Tahsildar vide his application No.2019/0105/01/224421, dated 09.07.2019. Despite repeatedly reminders to the respondents to process his application for name transfer of Patta, the 2nd respondent failed to take any action to survey the land and transfer the patta in his name. Therefore, he made a representation dated 17.12.2019 before the first respondent seeking to direct the 2nd respondent to effect name transfer of patta in his name, till date, the 2nd respondent has not taken any action on the petitioner's representation. Hence this petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the second respondent to consider the petitioner's application dated 09.07.2019 and dispose of the same within a stipulated time that may be framed 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 application or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, the petitioner is directed to produce all the Revenue Records before the Revenue Officials to prove that he is owner of the aforesaid property. Furthermore, the 2nd respondent/Tahsildar is hereby directed to verify all the Revenue Records and if any double documents have registered on the petitioner's property, thereafter, to consider the petitioner's application No.2019/0105/01/224421, dated 09.07.2019 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as necessary parties within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
District Collector,
Thiruvallur District.



2. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

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+1 CC to Mr.M. Madhan Kumar, Advocate sr 49373.

W.P.No.35563 of 2019

SJ(CO)
SP(09/11/2021)