



WEB COPY



W.P.No.4324 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4324 of 2022 and
W.M.P.No.4435 of 2022

S.I.Halimath Fathima

... Petitioner

VS.

1. The District Collector,
Chennai Collectorate,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai – 600 001.
2. The Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai – 32.
3. The Tahsildar,
Mylapore Taluk,
No.46, Greenways Road Extension,
Bishop Garden, R.A.Puram,
Chennai – 28.
4. Arulmighu Thiruvatteeswarar Samy Devasthanam,
Rep. by its Executive Officer,
having Office at Thiruvatteeswaranpettai,
Triplicane, Chennai – 600 005.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to mutate the name of the petitioner in all revenue records, rectifying the same, in respect of the land of petitioner in O.No.158, N.No.347, Pycrofts Road, Royapettah, Chennai comprised in T.S.No.1248/11, Block No.26, to an extent of 2145 Sq.ft., based on the representation dated 28.09.2021.

For Petitioner : Mr.K.Chozhan
For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus directing the 3rd respondent to mutate the name of the petitioner in all revenue records, rectifying the same, in respect of the land of petitioner in O.No.158, N.No.347, Pycrofts Road, Royapettah, Chennai comprised in T.S.No.1248/11, Block No.26, to an extent of 2145 Sq.ft., based on the representation dated 28.09.2021.

2. The case of the petitioner is that, originally the property in S.F.No.1248, was owned by one Papathiammal. After her demise, a partition suit in C.S.No.23 of 1956 before this Court was filed by the legal



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heirs of said Papathiammal and the said Suit was compromised by a decree dated 24.06.1960. As per the compromise decree, the subject property was allotted to one Ramachandra Ammal @ Chandrammal who in turn sold the land in favour of one K.S.M. Syed Rafiath Ummal vide sale deed dated 30.04.1964 bearing document No.412/1964. Thereafter, the petitioner purchased 1/4th share of the subject property vide sale deed dated 03.10.2001 bearing Document No.1074 of 2001 and 3/4th share was purchased by the family members of the petitioner and obtained electricity connection, Chennai Metro Water Service Connection and all were mutated in the name of the petitioner and her family members. When the petitioner came to know that the online patta with regard to the petitioner's land in S.No.1248/11 have been mistakenly entered as Arulmigu Thiruvateeswarar Swamy Devasthanam instead of petitioner's name, she made a representation to the 3rd respondent dated 28.09.2021 to rectify the wrong entry and mutate the name of the petitioner. Hence the petitioner has filed this Writ Petition with the aforesaid relief.



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3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 28.09.2021 and pass orders on merits within a particular time frame fixed by this Court.

4. The learned Special Government Pleader for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 3rd respondent to consider the petitioner's representation dated 28.09.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner and 4th respondent Temple within a period of twelve weeks from the date of receipt of a copy of this order.



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7. This writ petition is accordingly **disposed of**. No costs.

Consequently connected miscellaneous petitioner is closed.

01.03.2022

rap/skt

Index : Yes/No

Speaking order : Yes/No

To

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M.DHANDAPANI, J.

rap

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