



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25047 of 2012

Gwaldas Karnani

... Petitioner

Vs.

1. The Special Commissioner and
Commissioner for Land Administration,
Chepauk,
Chennai-5.

2. The Collector,
Office of the Collectorate,
Chennai.

3. The Tahsildar,
Mylapore-Triplicane,
Chennai-600 004.

4. Arulmighu Thiruvateeswarar Devasthanam,
Triplicane, Madras-5,
Rep. By its Executive Officer

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to substitute petitioner's name in the extract of land register in the place of the fourth respondent and consequently issue a fresh patta in his name in respect of the property comprised in R.S.No.1246/30 Triplicane division, Block No.26, No.154, Bharathi Salai, {Pycrofts Road}, Royapettah, Chennai-14.

For Petitioner : Mr.S.Vijayakumar

For Respondents R1 to R3 : Mr.M.Murali
Government Advocate



WEB COPY

O R D E R

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus to direct the third respondent to substitute the petitioner's name in the extract of the land register in the place of the fourth respondent and consequently issue a fresh patta in his name in respect of the property.

2. Since, no adverse order is being passed against the private respondent/4th respondent, notice to the 4th respondent is dispensed with.

3. The case of the petitioner is that the property bearing Door No.154 Pycrofts Road, Royapettah, Chennai-14 was originally owned by the petitioner's father and the said property was subsequently released in favour of the petitioner. By virtue of the said release, the petitioner became the absolute owner of the property. Since the patta for the above said property stood in the name of the petitioner's father, the petitioner made a representation dated 09.02.2012 before the 3rd respondent for substituting his name in the extract of land register. Thereafter, he came to know that the name of the 4th respondent was inserted in the said register by deleting the petitioner's name. Though a representation was made, till date, no order was passed on the same. Hence, this Writ Petition has been filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 3rd respondent to consider the petitioner's representation dated 09.02.2012 and pass orders on the same within a particular time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1 to 3 submitted that while furnishing the documents for consideration of his representation before the 3rd respondent, no appropriate acknowledgement was annexed by the petitioner. Hence, this Court may permit the petitioner to send a copy of the representation made before the 3rd respondent.

6. In view of the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the petitioner to produce a copy of the said representation along with a copy of this order while furnishing relevant documents before the 3rd respondent. On such production, the 3rd respondent is directed to consider the petitioner's representation dated 09.02.2012 on merits and in accordance with law and pass appropriate orders after affording



opportunity of hearing to the petitioner and aggrieved party, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

anu

To

1. The Special Commissioner and
Commissioner for Land Administration,
Chepauk,
Chennai-5.
2. The Collector,
Office of the Collectorate,
Chennai.
3. The Tahsildar,
Mylapore-Triplicane,
Chennai-600 004.

+lcc to Mr.S.Vijayakumar, Advocate SR.No.11847

+lcc to the Government Pleader, SR.No.12327

W.P.No.25047 of 2012

MT (CO)

CB(25/03/2022)