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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10373 OF 2022

R.Sivakumar @ R.Babu

... Petitioner

.Vs.

1. The Tahsildar,
Tambaram Taluk,
Chengulpet District.

2. The District Collector,
Chengulpet District,
Chengulpet.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent 1 to issue Patta to the petitioner for Survey No.100/2C1 part and 100/2C2 in Bharat Nagar, admeasuring to an extent of 880 sq.ft. each in 146, Agaram Then Village, Tambaram Taluk, Kancheepuram District situated within the Sub-Registration District of Tambaram and Registration District of Chennai South.

For Petitioner : M/s.S.Shunmuga Raja
For M/s.Chennai Law Firm

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to issue Patta to the petitioner for Survey Nos.100/2C1 part and 100/2C2 in Bharat Nagar, ad-measuring an extent of 880 sq.ft. each in 146, Agaram Then Village, Tambaram Taluk, Kancheepuram District, situated within the Sub-Registration District of Tambaram and Registration District of Chennai South.



2. The case of the petitioner is that the petitioner had purchased the residential plot Nos.139, 140 and 141 in Survey Nos.100/2C1 part and 100/2C2 in Bharat Nagar, ad-measuring an extent of 880 sq.ft. each in 146, Agaram Then Village, Tambaram Taluk, Kancheepuram District, through registered vide Sale Deed, against Document No.2490/2000. Subsequent to the purchase of the aforesaid properties, the petitioner who is the absolute owner, is in possession and enjoyment of the same. However, the Patta stands in the name of the vendor of the petitioner and not transferred in his name. Therefore, the petitioner made representation dated 19.01.2022 before the first respondent, seeking sub-division and Patta transfer in his name. As the said representation/application made by the petitioner has evoked no response from the first respondent, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the first respondent to consider the petitioner's representation dated 19.01.2022 and pass orders on the same, within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 19.01.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The Tahsildar,
Tambaram Taluk,
Chengulpet District.



2. The District Collector,
Chengulpet District,
Chengulpet.

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+2ccs to M/s.Chennai Law Firm, Advocate, S.R.No.28828
+1cc to the Government Pleader, S.R.No.30468

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AK-II (CO)
PBS/23/05/2022