

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.15236 OF 2022

Raghavendran

... Petitioner

versus

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street,
New Kumaran Nagar,
Sholinganallur, Chennai - 600 091.

2. The Commissioner,
Commissionerate of Urban Land
Ceiling and Tax Department,
Chepauk, Chennai - 600 005.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st respondent to grant patta in the name of the petitioner with respect to their property bearing Plot No.67, Iyappa Nagar, 9th Lakeview Street, Madipakkam, Layout was approved in LPDM/DDTP No.163/1974, measuring an extent of 2400 sq.ft., comprised in Survey No.174/2, Patta No.3127, of Madipakkam Village, Tambaram Taluk, Kancheepuram District within the Registration District of Chennai South and Sub-Registration District of Velachery, without insisting of a No-Objection Certificate from the 2nd respondent in accordance with the judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the judgment in W.A.Nos.975 to 978 of 2015.

For Petitioner : M/s.Kaushik N.Sharma,
for M/s.KNS Law Chambers

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the 1st respondent to grant patta in the name of the petitioner with respect to his property bearing Plot No.67, Iyappa Nagar, 9th Lakeview Street, Madipakkam, Layout was approved in LPDM/DDTP No.163/1974, measuring an extent of 2400 sq.ft., comprised in Survey No.174/2, Patta No.3127, of Madipakkam Village, Tambaram Taluk, Kancheepuram District, within the Registration District of Chennai South and Sub-Registration District of Velachery, without insisting of a No-Objection Certificate from the 2nd respondent in accordance with the judgment of this Court in W.P.Nos.2856 to 2859 of 2014 as confirmed by the judgment in W.A.Nos.975 to 978 of 2015.

2. The learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, he claims to be the owner of the property comprised in Survey No.174/2, measuring an extent of 2400 sq.ft., situated at Madipakkam Village, Tambaram Taluk, Kancheepuram District and the same was purchased by him from one S.Srinivasan dated 12.05.2000 in Document No.1537/2000 and he is in absolute possession and enjoyment of the said land. Whiles, the petitioner made an application dated 01.06.2022 before the 1st respondent for sub-division and transfer of patta, however, till date, no orders have been passed on the same. Hence, this Writ petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's application dated 01.06.2022 on merits and transfer patta in favour of the petitioner as expeditiously as possible.

5. The learned Additional Government Pleader appearing on behalf of the respondents has no serious objection for said order being passed and he fairly conceded that the petitioner's application dated 01.06.2022 will be considered and appropriate orders will be passed within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's application

dated 01.06.2022 on merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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-VII)

//True Copy//

Sub Assistant Registrar

sri

To

1. The Tahsildar,
Sholinganallur Taluk,
1st Cross Street,
New Kumaran Nagar,
Sholinganallur, Chennai - 600 091.
2. The Commissioner,
Commissionerate of Urban Land
Ceiling and Tax Department,
Chepauk, Chennai - 600 005.

W.P.No.15236 of 2022

AK-II(CO)
RLP(11/07/2022)