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W.P.No.25521 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.25521 of 2022

S.Sivaanand

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Mambalam Taluk, Chennai District,
No.5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai – 600 040.

2.The District Collector,
Chennai District,
Rajaji Salai, Fourth Floor,
62, Beach Road, George Town,
Chennai – 600 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents herein to cancel the TSLR extract issued in the name Late Mr.Gulabdoss Narayanadoss and to restore the same in the name of the present owners namely Mrs.Vasanth and the Legal Heirs of Late Mr.Sundaramahalingam including the petitioner.



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For Petitioner : Mr.Kaushik N.Sharma

For Respondent : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

2. The petitioner has filed this petition seeking direction to the respondents to direct the respondents herein to cancel the TSLR extract issued in the name late Mr.Gulabdoss Narayanadoss and to restore the same in the name of the present owners viz., Mrs.Vasantha and the Legal Heirs of Late Mr.Sundaramahalingam including the petitioner.

3. It is the case of the petitioner that the property located in Door No.49, New No.171/A, Arcot Road, Virugambakkam, Chennai – 600 092, measuring an extent of 1 Acre and 30 Cents comprised in Old Survey No.219/8B, T.S.No.47, Block No.36, Virugambakkam Village, Mambalam Taluk, Chennai



(hereinafter referred as subject property) was purchased by his parents viz., late S.Sundaramahalingam and Mrs.Vasanth from Mrs.Saraswathi and 5 others via Sale Deed dated 09.03.200 and the Office of Guindy-Mambalam Taluk issued a TSLR extract dated 19.07.2006 in the name of petitioner's parents. When the petitioner recently obtained the TSLR extract dated 16.08.2022 for the subject property, it was changed in the name of third party viz., Gulobdoss Narayanadoss, who died in the year 1946. Thereafter, the petitioner has approached the first respondent regarding fraudulent transfer of TSLR Extract in the name of third party, however, the first respondent threatened the petitioner with dire consequences. Immediately, the petitioner made a representation dated 23.08.2022 before the second respondent regarding this issue, but no action was taken till date. Hence, this writ petition.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to conduct an enquiry based on the petitioner's representation dated 23.08.2022 and pass orders on merits within a



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particular time frame to be fixed by this Court.

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5. The learned Special Government Pleader appearing for the respondents submitted that he has no objection for the said order being passed.

6. Heard the learned counsel on either side and perused the materials placed on record.

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the second respondent to conduct an enquiry based on the petitioner's representation dated 23.08.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above observation and direction, this Writ Petition is disposed of. No costs.



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Index : Yes/No

Speaking Order : Yes/No

To:

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