

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27779 of 2017

T.M.Siva

...Petitioner

Vs.

1. The Tahsildar,
Kanchipuram Taluk,
Kanchipuram District.

2. Shanthi

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass appropriate orders to include petitioner's and his wife name in Patta No.1648 as joint patta holders for Survey No.435/2 situated at Thiruputkuzhi Village, Kanchipuram Taluk, Kanchipuram District along with 2nd respondent by considering the petitioner's representations dated 21.09.2016 and 07.11.2016.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.P.Sathish, AGP, for R1

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 consider the petitioner's representations dated 21.09.2016 and 07.11.2016 and consequently include petitioner's and his wife's name in Patta No.1648 as joint patta holders along with the 2nd respondent.

2. The case of the petitioner is that, he has purchased the property measuring an extent of 32 cents out of 64 cents, comprised in Survey No.435/2 situated at Thiruputkuzhi Village, Kanchipuram Taluk, Kanchipuram District from one E.Thayalan and other, vide, registered Sale deed dated 14.07.2004 bearing Doc.No.500 of 2004. Pursuant to the said purchase, the petitioner made an application dated 12.03.2006 before the 1st respondent to include the petitioner's and his wife's names as joint pattadhar in the patta No.1648 already issued in favour of

the petitioner's sister in respect of the subject property, however, no action has been initiated by the revenue officials. Aggrieved by the same, the petitioner made several representations on 21.09.2016 and 07.11.2016, however, till date, no orders have been passed on the same. Hence, this Writ petition.

3. Learned Additional Government pleader appearing on behalf of the 1st respondent fairly submitted that the petitioner's representation dated 07.11.2016 will be considered and appropriate orders will be passed within the time stipulated by this Court.

4. In view of the limited relief sought for, inspite of the fact that representation is being made by the learned counsel for the petitioner that they have given change of vakalath and they are handicapped with the bundle and reported no instructions, in view of the order of this Court proposes to pass, which is in no way detriment to the case of the petitioner, the necessity of representation through counsel does not arise.

5. Therefore, this Court, without expressing an opinion on the merits of the case, issues direction to the petitioner to submit a copy of the representation along with with a copy of this order before the 1st respondent. On receipt of such representation, the 1st respondent shall consider the same on merits and in accordance with law and pass appropriate orders within a period of eight weeks thereafter, after affording an opportunity of personal hearing to the petitioner as well as the private respondent.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

skt
To

The Tahsildar,
Kanchipuram Taluk,
Kanchipuram District.

+1 cc to Government Pleader Sr.NO. 40767

W.P.No.27779 of 2017

gpl(CO)
A.SK(18/07/2022)