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Writ Petition No.5645 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5645 of 2023

R.Kumar

... Petitioner

-Vs-

1. The District Collector,
Chennai District, Chennai – 600 001.
2. The Revenue Divisional Officer,
North Chennai, Chennai – 600 019.
3. The Tahsildar,
Tiruvottiyur Taluk,
Chennai – 600 019.
4. The Chief Land Surveyor,
Tahsildar Office,
Tiruvottiyur Taluk,
Chennai – 600 019.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner representation dated 22.11.2021 and to direct the 3rd respondent to transfer the patta in Survey No.213/2B/2B and according to Town Survey Field Register survey No.213/2B2C/2A1 part at Old Door No.3/9C2, New Door No.65, Sheshachala Gramani Street, Kaladipet, Tiurvottiyur, Chennai – 600 019 with a total extent of 1200 sq.ft.



Writ Petition No.5645 of 2023

For Petitioner : Mr.K.Kathiresan
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the third respondent to consider the petitioner's representation dated 22.11.2021 and to direct the 3rd respondent to transfer the patta in Survey No.213/2B/2B and according to Town Survey Field Register Survey No.213/2B2C/2A1 part at Old Door No.3/9C2, New Door No.65, Sheshachala Gramani Street, Kaladipet, Tiurvottiyur, Chennai – 600 019 with a total extent of 1200 sq.ft.

2. In respect of the property situated at Old Door No.3/9C2, New Door No.65, Sheshachala Gramani Street, Kaladipet, Tiurvottiyur, Chennai – 600 019 to an extent of 1200 sq.ft, it is a claim of the petitioner that the property belongs to the petitioner's father one R.Ramaiah, who executed the will, which was registered as document No.280/2007 on the file of Sub-Registrar, Tiurvottiyur, under which the property has been bequeathed to the petitioner as well as his brother one Mari. Thereafter, the petitioner father died on 25.07.2010, therefore, now



Writ Petition No.5645 of 2023

the property in question since have been inherited by the petitioner and his brother by virtue of the said Will executed, patta stood in the name of the petitioner's father must have been transferred to the name of the petitioner and his brother and for the aforesaid purpose, the petitioner has given a representation on 22.11.2021 to the third respondent Tahsildar and in order to consider the said representation, the petitioner has moved the present writ petition.

3. Heard Mr.K.Kathiresan, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

4. Learned Special Government Pleader appearing for the respondents would submit that the said representation given by the petitioner would be considered by the third respondent and orders would be passed thereon on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Special



Writ Petition No.5645 of 2023

Government Pleader appearing for the respondents, this Court directs the third respondent to consider the representation of the petitioner dated 22.11.2021 and pass necessary orders thereon on merits and in accordance with law within a period of six(6) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

27.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

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R. SURESH KUMAR, J.



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