



W.P.No.10784 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10784 of 2020

K.Shankar

... Petitioner

Vs.

1.The Special Thasildar,
Corporation of Chennai,
Alandur, Chennai – 600 016.

2.Prabhu

3.Rohini

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the first respondent to pass a considered order on the application given by the petitioner dated 19.06.2019 and as a consequential relief by way of direction directing the first respondent not to issue a Patta in favour of the second and third respondents pertaining to the property bearing Survey No.4/3, Door No.7/3, Banar Street, Palavanthangal, Chennai – 600 114.



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For Petitioner : Mr.T.Ramachandran

For Respondents :

For R1 : Mr.K.Suresh
Government Advocate

For R2 and R3 : No appearance

ORDER

This Writ Petition has been filed seeking for issuance of a mandamus, to direct the first respondent to pass a considered order on the application given by the petitioner dated 19.06.2019 and consequently to direct the first respondent not to issue a Patta in favour of the second and third respondents pertaining to the property bearing Survey No.4/3, Door No.7/3, Banar Street, Palavanthangal, Chennai – 600 114.

2. The case of the petitioner is that the land comprising in S.Nos.4/3, 4/3B and T.S.No.110/2 measuring an extent of 0.06 cents situated at Pazhavanthangal Village, Alandur Taluk, Chennai District, was purchased by the petitioner's grandmother namely Govindammal on 26.08.1941 and the same was registered as Document No.1670/1941 in the Sub Registrar Office, Pallavaram, Chennai. The petitioner's grandmother was in possession and enjoyment of the property till her demise. The petitioner's grandmother Govindammal died intestate leaving behind the petitioner's father Kasinathan



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and his uncle Narayanan and they are enjoying the property as joint owners.

The petitioner's father died leaving behind the petitioner as the Legal Heir and the petitioner's uncle died leaving behind the Legal Heirs.

3. The further case of the petitioner is that the petitioner's father executed a Settlement Deed in favour of the petitioner and the same was registered as Doc.No.3041/2007 dated 08.10.2007 in the Sub Registrar Office, Alandur, Chennai. Subsequently, the petitioner has executed a Settlement Deed in favour of one Maheswari, which was registered as Document No.992/2008 dated 03.04.2008 in the Sub Registrar Office, Alandur, Chennai. The petitioner further submitted that he was in possession of 0.03 cents. The petitioner already obtained a Judgment in O.S.No.792 of 2008 dated 12.02.2014 by the District Munsif Court, Alandur for the relief of Permanent Injunction. While so, the second and third respondents are applied for Patta of the land comprising in S.Nos.4/3, 4/3B and T.S.No.110/2 measuring an extent of 0.06 cents situated at Pazhavanthangal Village, Alandur Taluk, Chennai District. The petitioner submitted that the petitioner has sent objection letter dated 19.06.2019 to the first respondent, pertaining to issuance of Patta in favour of the second and third respondents. The petitioner further submitted that inspite of his objection letter, the second and third respondents trying to obtain Patta with the influence of the



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first respondent. Hence the writ petition.

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4. Learned counsel appearing for the petitioner submitted that the Patta is in the name of the petitioner's grandmother namely Govindammal and he will file online application for issuance of the Patta in the name of the petitioner as per the rules.

5. Learned Government Advocate appearing for the first respondent submitted the written instructions bearing Na.Ka.No.A1/998/2024 dated 29.06.2024 of the Thasildar, Alandur Taluk, Chennai – 600 016. According to which, the Patta stands only in the name of the petitioner's grandmother Govindammal and as on date, no Patta is issued to the second and third respondents.

6. The above statement of the learned Government Advocate appearing for the first respondent and the written instructions submitted before this Court stands recorded.

7. In view of the above, nothing survives for further adjudication in this writ petition.



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8. This Writ Petition is disposed of with the above observations. No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

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To

The Special Thasildar,
Corporation of Chennai,
Alandur, Chennai – 600 016.

J.SATHYA NARAYANA PRASAD, J.

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