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W.P.No.14790 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.14790 of 2024

J.Srinivasan

...Petitioner

-Vs-

The Tahsildar,
Tiruporur Taluk,
Chengalpet District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 10.05.2024 seeking subdivision and transfer of patta in the name of the petitioner in respect of the property comprised in old Survey No.1/1A1B1 and New Survey No.1/1A1B1A in joint patta No.1095 situated at Marutheri Village, Thiruporur Taluk, Chengalpet District measuring an extent of 0.60 cents within a time frame that may be fixed by this Court and pass such further orders.

For Petitioner : Mr.M.Duraimurugan

For Respondent : Mr.P.Sathish
Additional Government Pleader



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ORDER

Mr.P.Sathish, learned Additional Government Pleader takes notice on behalf of the respondent. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondent herein to consider the petitioner's representation dated 10.05.2024 seeking subdivision and transfer of patta in the name of the petitioner in respect of the property comprised in old Survey No.1/1A1B1 and New Survey No.1/1A1B1A in joint patta No.1095 situated at Marutheri Village, Thiruporur Taluk, Chengalpet District measuring an extent of 0.60 cents.

3. It is the case of the petitioner that he along with Mr.Sujau, S/o. Veerapandian, Mr.Sanjeevi, S/o. Radhakrishnan, Mr.Udayakumar, S/o.Muthuraman jointly purchased the land comprised in old Survey No.1/1A1B1 and New Survey No.1/1A1BIA in joint Patta No.1095 measuring an extent of 0.60 cents out of the total extent of 8.30 cents situated



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at Marutheri Village, Thiruporur Taluk, Chengalpet District vide sale Deed

D.No.8537/2024 dated 04.03.2024.

4. Learned counsel for the petitioner submits that in pursuant to the Sale Deed, he made an application before the respondent in application No.2024/0105/35/481305 and the same was not processed. Hence he has given a representation to the respondent 10.05.2024 seeking for subdivision and issuance of name transfer in the patta pass book pertains to the property. The same has not been considered by the respondent till date and due to the inaction on the part of the respondent, the petitioner has approached this Court by way of filing this writ petition.

5. Learned Additional Government Pleader appearing for the respondent submits that now the procedure is only online application with the prescribed fee. If the same is applied, it would be considered on merits and in accordance with law by the authority concerned.

6. Heard both sides and perused the materials available on record.



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7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, issues the following directions:

- a) The petitioner is directed to submit online application with the prescribed fee.**
- b) While considering the petitioner's online application, the respondent is directed to conduct a detailed enquiry and dispose of the petitioner's application after giving notice to both parties, affording an opportunity of personal hearing to the petitioner as well as rival claimants/interested parties if any, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of natural justice within a period of four weeks from the date of receipt of a copy of this order.**

In the result, the writ petition stands disposed of with the above observation and direction. No costs.

10.06.2024

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To

The Tahsildar,
Tiruporur Taluk,
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J.SATHYA NARAYANA PRASAD, J.

cda

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