



WEB COPY



W.P.No.26448 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.26448 of 2024

G.Kiruthika

... Petitioner

Vs.

1.The Sub-Registrar

Ponneri Registration Office,
Ponneri Taluk Office Road,
Thiruvallur 601 204

2.The Tashildhar

Ponneri Taluk Office
Ponneri Taluk Office Road,
Tiruvallur 601 204

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the 2nd respondent to issue Patta Pass Book in the petitioners name upon consequent transfer of title dated 03.08.2022 within a period of 15 days as per section 9 of the Tamil Nadu Patta pass Book Rules as per on line Application dated 02.08.2024.



WEB COPY



W.P.No.26448 of 2024

For Petitioner : M/s.P.Gunaraj

For Respondents : M/s.C.Satish, Govt. Advocate
for R.1 & R.2

ORDER

The petitioner has sought a mandamus to the 2nd respondent to issue patta passbook to the petitioner consequent to the transfer of title to her as per the online application dated 02.08.2024.

2. It is the case of the petitioner that her mother N.Devika had purchased a housing plot bearing plot no.4 measuring an extent of 2272 sq.ft. comprised in Old S.No.191/4, New S.No.191/4/A1A1 Anuppampattu-1 Village from one Govindasamy, son of Narayanasamy Naidu and 8 others by way of a registered sale deed dated 14.12.1994. The above property was settled in favour of the petitioner by her mother under a registered settlement deed dated 03.08.2022. After the registration of the above property in her name, the petitioner had submitted an online application for the transfer of patta. However, the same was rejected stating that the petitioner had already applied for the said patta transfer with subdivision charges. However, though the respondents have acknowledged the earlier application they have not come forward to either sub divide the property or issue separate patta. Therefore, the petitioner is before this



W.P.No.26448 of 2024

Court.

3. Heard the counsels on either side.

4. The respondents have failed to appreciate that the property has been transferred to the petitioner through a settlement deed dated 03.08.2022. The petitioner's mother, the settlor had been issued with a patta bearing patta no.739 in respect of the property comprised in S.No.191/4A1A1 and it is this patta that is sought to be transferred in the name of the petitioner pursuant to its settlement in her favour. The respondents have not denied the receipt of the same instead when an online application was filed it was not being accepted on the ground that already an application for patta transfer along with sub-division charges had been filed.

5. Therefore, in the light of the above, the Writ Petition is allowed and a mandamus is issued to the 2nd respondent to consider the online application of the petitioner dated 02.08.2024 and issue Patta Pass Book to the petitioner within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

15.11.2024

(shr)



W.P.No.26448 of 2024

Index : Yes/No

Neutral Citation : Yes/No

WEB COPY

To

- 1.The Sub-Registrar
Ponneri Registration Office,
Ponneri Taluk Office Road,
Thiruvallur 601 204
- 2.The Tashildhar
Ponneri Taluk Office
Ponneri Taluk Office Road,
Tiruvallur 601 204



WEB COPY



W.P.No.26448 of 2024

P.T. ASHA. J.,

(shr)

W.P.No.26448 of 2024

15.11.2024