



WP No.38112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.01.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

WP No.38112 of 2024

1. Mr.D.Suresh

2. Mr.D.Sohan Lal

... Petitioners

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009

2. Tamil Nadu Housing Board,
Represented by its Managing Director,
No.493, Anna Salai,
Nandanam, Chennai – 600 035.

3. The Tahsildar,
Maduravoyal Taluk Office,
Bharathi Salai,
Mogappair West, Chennai 600 037

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India
for issuance of Writ of Mandamus directing the 3rd respondent to issue a



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separate patta in favour of the petitioners.

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For Petitioner	: Mr.Murali Krishna for M/s.Rityam Legal
For Respondents	: Mr.A.Selvendran Special Government Pleader for R1 to R3

ORDER

The limited relief sought for in the above writ petition is for a mandamus to the 3rd respondent to issue a separate patta to the petitioners in respect of the subject property.

2. It is the petitioner's case that the subject property originally belonged to one Sahadeva under a registered Sale deed dated 01.09.1967. The said Sahadeva had sold the property in favour of Radhakrishnan and three others. All of whom were sons of S/o. Chinnathambhu Chettiyar. They in turn had sold the property to one Kannagambal under a registered sale deed dated 17.02.1972. Kannagambal had executed a power of attorney in favour of her husband Kothandapani on 17.08.1983 to act on behalf of her minor children. The Power of Attorney deed was a registered document and on the strength of this Power of Attorney, Mr. Kothandapani had sold the



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property in favour of one Mohideen Kutty under a registered Sale deed dated 28.05.1984.

3. One Selvaraj had purchased the property from Mr.K.Mohideed Kutty under a registered Sale deed dated 24.01.1990 and from the said Selvaraj, the petitioner had purchased an extent of 608 Sq. ft. out of 2400 Sq.ft. together with the terrace under registered Sale deed dated 11.12.2013. Upon the purchase, the petitioners have also submitted an application dated 11.09.2023 for issue of sub-division patta. This application has not been considered to date, which has constrained the petitioners to approach this Court.

4. Heard Mr.Murali Krishna for M/s.Rityam Legal, learned counsel for petitioner and Mr.A.Selvendran, learned Special Government Pleader for Respondents 1 to 3.

5. Considering the above facts, a mandamus is issued to the 2nd respondent to pass orders on the application submitted by the petitioners on



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11.09.2023 for grant of patta within a period of four weeks from the date of receipt of the copy of the order.

6. This Writ petition is allowed accordingly. No costs.

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Index : Yes/No

Internet: Yes

Speaking Order/Non-speaking Order

To

1. The Secretary to Government,
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