



W.P.No.39298 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 39298 of 2024

Ramani

...Petitioner

Vs.

1.The Tashildar
Pallavaram Taluk,
Pallavarm,
Chennai - 600 043.

2.The Revenue Divisional Officer,
Tambaram,
Chennai - 600 045.

3.The District Collector,
Chengalpattu District,
Chengalpattu.

4.Mahalakshmi

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to grant patta in Na.Ka.No.747/2023/AA2, dated 02.03.2023, based on the petitioner's patta application.

For Petitioner : Mr. J.Karunanithi

For Respondents : Mr. M.R.Gokul Krishnan
1 to 3 Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To direct the 1st respondent to grant patta in Na.Ka.No.747/2023/AA2, dated 02.03.2023, based on the petitioner's patta application”.



2. The petitioner would submit that she is the absolute owner of the subject property. The petitioner had applied online for issuance of patta. While so, the 4th respondent who is absolute stranger to the subject property has objected for the issuance of patta in favour of the petitioner, on the pretext that the 4th respondent has filed a suit in O.S.No.164 of 2022, on the file of the District Court, Alandur, against the petitioner. The 4th respondent also raised an objection stating that the subject property has been mortgaged to them and the same has not been redeemed.

3. The petitioner submits that she enquired about the pendency of the said suit and came to learn that there is no such suit, i.e., O.S.No.164 of 2022, filed as against the petitioner. Therefore, the contention of the 4th respondent is absurd and the objection is made with an ulterior motive.



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4. The petitioner further submits that they have redeemed the property mortgaged by them by virtue of a Deed of Receipt dated 21.04.2003, registered as Doc.No.1114/2003. Therefore, this objection is also vexatious, frivolous and baseless. However, the 1st respondent referred the matter to the 2nd respondent to conduct enquiry for grant of patta. The 2nd respondent conducted an enquiry and found that the objection made by the 4th respondent is baseless and submitted a report to the 1st respondent. The 1st respondent who has received the report from the 2nd respondent has not proceeded to issue patta in favour of the petitioner. Therefore, the petitioner is before this Court.

5. Heard the learned counsels on the either side and perused the records.

6. Considering the facts and circumstances of the case and the fact that the 2nd respondent has submitted a report to the 1st respondent stating that the objection made by the 4th respondent is baseless, a mandamus is issued to the 1st respondent to grant patta patta in favour



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of the petitioner, within a period of 8 weeks from the date of receipt of a copy of this order. In case of a rejection, speaking order shall be passed.

7. The Writ Petition is allowed. No costs.

03.01.2025

Index : Yes/No
Internet : Yes/No
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To

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P.T. ASHA, J.



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