

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10064 of 2015

Elangovan

.. Petitioner

- Vs -

1. The District Collector,  
Villupuram District.
2. The Revenue Divisional Officer,  
Kallakurichi, Villupuram District.
3. The Revenue Thasildar,  
Sankarapuram Taluk,  
Villupuram District.
4. The Village Administrative Officer,  
Kalaiyanallur Village,  
Sankarapuram Taluk,  
Villupuram District.

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd and 4th respondents to consider the petitioner's application dated 11.08.2014 for patta name transfer in accordance with law within the time stipulated by this Court.

Petitioner : Mr.S.Mohamed Ansar

For Respondent : Mr.V.Subbiah  
Special Government Pleader

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O R D E R

By consent, the writ petition is take up for final disposal.

2. The petitioner claims that he purchased a land measuring 0.51 cent in Survey Nos.209/10C, 209/11D and 209/8A by means of a registered sale deed bearing Document No.1460/2013 registered at the office of the Sub-Registrar, Thiyyagadurgam. He further claims that he is in possession and enjoyment of the same.

3. The petitioner further submits that at the time of registration, he paid fees for patta name transfer and sub-division along with registration fees but the patta has not been transferred in his name. In this regard, he submitted his application dated 11.08.2014, as well as sent a representation on 23.02.2015. Since he is not favoured with any response, he has come forward with this writ petition.

4. Heard the submissions of the learned counsel appearing for the petitioner, who invited the attention of this Court to the documents filed in typed set of papers. Though the application was submitted as early as on 11.08.2014, the third respondent did not care to take any action and hence the petitioner prays for appropriate order.

5. Mr.V.Subbiah, learned Special Government Pleader accepts notice for the respondents 1 to 4 and would submit that within a specified time the application of the petitioner will be considered and disposed of.

6. This Court has carefully considered the rival submissions.

7. This Court is repeatedly coming across these kinds of writ petitions, wherein, the petitioner / aggrieved persons were constrained to approach this Court for issuance of patta. It is not in serious dispute that at the time of registration of the property, necessary fees are also collected for transferring the patta and this Court is unable to find out any reason as to why the said process is delayed by the concerned revenue officials.

8. This Court, therefore, directs the Principal Secretary to Government of Tamil Nadu, Revenue Department as well as the jurisdictional Collectors to take appropriate steps for early disposal of the applications seeking transfer of patta as well as issue of patta and fee for it and necessary guidelines for the same. This Court is constrained to make these observations for the reason that very many writ petitions are filed for the said relief and thereby it is clogging up the system.

9. This Court taking into consideration the limited scope of the prayer made by the petitioner, directs the third respondent to consider and dispose of the petitioner's application dated 11.08.2014, after putting on notice the person concerned, for transfer of patta within a period of four weeks from the date of receipt of a copy of this order and inform the decision taken to the

petitioner. The Registry is directed to mark a copy of this order to the Chief Secretary, Government of Tamil Nadu and the Principal Secretary to the Government, Revenue Department, Government of Tamil Nadu. No costs.

-s/d-

Assistant Registrar( )

True Copy

Sub-Assistant Registrar

To

1. The Chief Secretary,  
Government of Tamil Nadu,  
Fort St. George, Chennai - 600 009.
2. The Secretary to Government,  
Revenue Department,  
Government of Tamil Nadu  
Fort St. George, Chennai - 600 009.
3. The District Collector,  
Villupuram District.
4. The Revenue Divisional Officer,  
Kallakurichi,  
Villupuram District.
5. The Revenue Thasildar,  
Sankarapuram Taluk,  
Villupuram District.
6. The Village Administrative Officer,  
Kalaiyanallur Village,  
Sankarapuram Taluk,  
Villupuram District.

+ 1 cc to Mr.S.Mohamed Ansar, Advocate SR 19575

+ 1 cc to Govt.Pleader SR 19852

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