

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.12489 to 12493 of 2014

And

M.P.Nos.1 to 1 of 2014

Bhaskar R.K. ...Petitioner in W.P.12489/14
Shiwaji, H.G. ...Petitioner in W.P.12490/14
Dhayaneswar ...Petitioner in W.P.12491/14
Dasarath, B.S. ...Petitioner in W.P.12492/14
Shamrao N.W. ...Petitioner in W.P.12493/14

Vs.

1. The District Revenue Officer,
Tiruppur District,
Tiruppur.
 2. The Revenue Divisional Officer,
Udumalpet Division,
Tiruppur District.
 3. The Tahsildar,
Udumalpet Taluk,
Tiruppur District.
- ...Respondents in all the W.Ps.

Prayer in W.P.No.12489 of 2014:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's application dated 11.06.2009 for transfer of patta in respect of Survey Nos.361/2, 375/1, 375/2, 375/3 and 349/1 in Ellayamuthur Village, Udumalpet Taluk, Thiruppur District.

Prayer in W.P.No.12490 of 2014:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the

petitioner's application dated 14.01.2011 for transfer of patta in respect of Survey Nos.380/3, 381/2, 383/1, 2 and 384/1 in Ellayamuthur Village, Udumalpet Taluk, Thiruppur District.

Prayer in W.P.No.12491 of 2014:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's application dated 21.01.2011 for transfer of patta in respect of Survey Nos.347/1, 2, 3, 4 in Ellayamuthur Village, Udumalpet Taluk, Thiruppur District.

Prayer in W.P.No.12492 of 2014:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's application dated 12.01.2011 for transfer of patta in respect of Survey Nos.346/1, 2, 3, 5 and 348/1 in Ellayamuthur Village, Udumalpet Taluk, Thiruppur District.

Prayer in W.P.No.12493 of 2014:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's application dated 11.06.2009 for transfer of patta in respect of Survey Nos.374/1, 361/3, 361/5, and 370/4 in Ellayamuthur Village, Udumalpet Taluk, Thiruppur District.

For Petitioners : Mr.V.Bharathidasan

For Respondents : Mr.R.Lakshminarayanan
Additional Government Pleader

C O M M O N O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

2.The petitioners have filed these writ petitions seeking issuance of Mandamus directing the third respondent to consider their application for transfer of patta.

3.Counter affidavit has been filed by the third respondent/ Tahsildar stating that the petitioners are not entitled to seek for patta transfer as a matter of right as they have purchased the land from persons belonging to the Scheduled Caste Community and the third respondent has a statutory obligation to consider the application only after verifying the genuineness of the transfer. Further, in

the counter affidavit reliance has been placed on G.O.Ms.210 Revenue Department dated 08.07.2011 specifying the mandatory duties cast upon Tahsildar while considering the application for transfer of patta more particularly when the lands have been purchased from the Scheduled Caste Community people.

4.In the light of the stand taken in the counter affidavit, there will be a direction upon the third respondent to consider the applications of the petitioners, verify the genuineness, conduct enquiry into the matter and for which purpose petitioners shall be issued notice and called upon to appear in person and after satisfying himself, pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5.These writ petitions are disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
Tiruppur District,
Tiruppur.
2. The Revenue Divisional Officer,
Udumalpet Division,
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3. The Tahsildar,
Udumalpet Taluk,
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KGK (CO)
PSI (19.06.2015)