

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.16913 of 2015

Noorjahan

.. Petitioner

vs

1. The Revenue Divisional Officer
Coimbatore District
Coimbatore

2. Tahsildar
Coimbatore South Taluk
Coimbatore District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent herein to dispose of the enquiry in OM.No.207/14/A dated 26.3.2014 issued by the first respondent herein pursuant to the representation dated 8.1.2014 of the petitioner herein regarding transfer of patta in the names of legal heirs of the property viz. the land measuring 4.4 acres in S.No.568/1 of Kurichi Village, Coimbatore Taluk and District according to law within a period as directed by this Hon'ble Court.

For Petitioner : Mr.S.Ilamparithi

For Respondents : Mr.Rm.Muthukumar
Government Advocate

ORDER

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

2.The petitioner claims that the land admeasuring to an extent of 4.4 acres in Survey No.568/1 of Kurichi Village, Coimbatore Taluk and District, originally belonged to her grandfather viz. Basha Sahib, and it was purchased by him by means of a registered sale deed dated 8.7.1917, registered as Document No.3406 of 1917, and after his demise, his legal heirs succeeded to the estate, and the petitioner is one of the legal heirs born through his daughter viz. Jegaina Bibi.

3.The petitioner would further state that after the demise of her grandfather, all the legal heirs are in joint possession and enjoyment of the above said property along with other properties in Survey No.510 and 511/1, and all of them applied for transfer of patta and the Tahsildar, Coimbatore South, has passed an order dated 9.1.2003, directing the authority concerned, to transfer the patta in the name of 31 legal heirs of deceased Basha Sahib and his wife Kasim Bibi, except the land admeasuring to an extent of 4.4 acres in Survey No.568/1 of Kurichi Viillage. The petitioner aggrieved by the said fact, sought information under the Right To Information Act from the Department of Water Supply and Drainage Board and it was informed that the land in question, was not acquired by the said Board for any purpose. In the interregnum, the first respondent sent a letter dated 28.9.2012, calling upon the petitioner to attend the enquiry to be held on 2.11.2012, and she had also appeared along with all documents and thereafter, nothing has happened so far and hence, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.Rm.Muthukumar, learned Government Advocate, who accepted notice on behalf of the respondents.

5.This Court, without going into the merits of the representation, permits the petitioner to submit one more representation by enclosing a copy of this order as well as her earlier representation dated 8.1.2014, to the respondents within a period two weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, is directed to consider it, in accordance with law, after putting on notice, the persons concerned and pass orders within a period of eight weeks thereafter and communication the decision taken, to the petitioner and the persons concerned. The writ petition is disposed of accordingly. No costs.

nsv

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

1. The Revenue Divisional Officer
Coimbatore District
Coimbatore

2. Tahsildar
Coimbatore South Taluk
Coimbatore District

+ 1 cc to Mr.S.Ilamparithi, Advocate SR 29088

+ 1 cc to Govt.Pleader SR 29263

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W.P.No.16913 of 2015



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