

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.36289 of 2015

K.Jayalakshmi

... Petitioner

Vs.

1. The Tahsildar,
Taluk Office,
Thiruporur - 603 110.

2. The District Collector,
Kanchipuram,
Kanchipuram District. ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider application for patta transfer dated 13.5.2013 by fixing reasonable time frame.

For Petitioner : Mr.N.Theenadayalan

For Respondents: Mr.V.Subbiah, Addl.Govt.Pleader

O R D E R

Basing reliance upon a settlement deed bearing Document No.1469 of 1991 dated 7.8.1991, decree and judgment dated 30.8.1994 made in O.S.No.377 of 1994 on the file of District Munsif, Chengalpattu, decree and judgment dated 16.3.2004 made in O.S.No.636 of 1994 on the file of District Munsif, Chengalpattu and decree and judgment dated 16.8.2005 made in A.S.No.38 of 2004 on the file of Additional Subordinate Judge, Chengalpattu and judgment dated 2.3.2011 in S.A.No.400 of 2006 on the file of this Court, the petitioner made a representation to the 1st respondent on 13.5.2013 for transfer of patta by including his name. In pursuant to the same, notice of enquiry was issued by the 1st respondent as seen from the proceedings in Na.Ka.No.2658/2013/A2 dated 7.8.2013. Similarly notice has also been issued to another person by name Nareshkumar. As there was no further progress, the petitioner sent another communication to the 1st respondent on 26.8.2015 enclosing the relevant documents. Since there was no action even thereafter, the present writ petition is filed by the petitioner.

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

3. Considering the facts of the case, the 1st respondent is hereby directed to pass appropriate orders on the representation/ application of the petitioner dated 13.5.2013 made by the petitioner and in pursuant to the enquiry notice issued by the 1st respondent in Na.Ka.No.2658/2013/A2 dated 7.8.2013, within a period of eight weeks from the date of receipt of copy of this order, after affording an opportunity of hearing to the parties concerned.

The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Tahsildar,
Taluk Office,
Thiruporur - 603 110.

2. The District Collector,
Kanchipuram,
Kanchipuram District.

+1 cc to Government Pleader sr.62016

+1cc to M/S.N.Theenadayalan, Advocate Sr.62545[14/12/2015]

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