

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.4571 of 2015

P.Prabakaran

[Petitioner]

Vs

1 The Revenue Divisional Officer
Villupuram

2 The Tahsildar
Villupuram

[Respondents]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to transfer the patta in favour of the petitioner pursuant to the representations and application made by the petitioner on 30.04.2012 and on 28.10.2014 in respect of the property of the petitioner in S.No.784/2B-40 cents at Valavanur Village, Villupuram Taluk.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.M.L.Mahendran, GA

ORDER

Heard Mr.N.Suresh, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner seeks for a writ of mandamus to direct the respondents to consider his application dated 30.04.2012 and 28.10.2014 in respect of his property in S.No.784/2B at Valavanur Village, Villupuram Taluk measuring an extent of 40 cents.

3. In the said representation, the petitioner has sought for transfer of patta and sub division. The petitioner claims right over

the property pursuant to a Settlement Deed executed in his favour by his grandmother vide settlement deed dated 21.10.2009, registered as document No.2351 of 2009 on the file of the Sub Registrar, Valavanur.

4. On a perusal of the application of the petitioner dated 31.07.2013, it is seen that one Shanmugam has raised objection. But, that is not stated by the petitioner himself. However, the said Shanmugam has not been impleaded as a respondent in this writ petition. The said application filed by the petitioner dated 31.07.2013 has been forwarded to the 2nd respondent by the 1st respondent by proceedings dated 14.08.2013 and the same is pending.

5. In the light of the above, without going into the merits of the petitioner's contention, there will be a direction to the 2nd respondent to consider the petitioner's applications dated 31.07.2013, 28.10.2014 and 10.11.2014, after issuing notice to the petitioner as well as the said Shanmugam and after hearing the parties shall 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.

The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1 The Revenue Divisional Officer
Villupuram

2 The Tahsildar
Villupuram

1 CC to Mr.N.Suresh, Advocate SR.No. 9750
1 CC to the Government Pleader, SR.No. 9997

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MP (CO)

PSI (10.03.2015)