



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No.13659 of 2015

WEB COPY

P.S.Kalaiselvan

... Petitioner

Vs.

1.The District Collector,
Collectorate Building,
Madurai 625 020.

2.The Thasildar,
Peraiyur Taluk,
Peraiyur,
Madurai - 625 020.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to transfer the patta from the petitioner's father's name to his name for the vacant site in Survey No.364/6A, Patta No.535 in an extent of 7 acres situated at Soolappuram Village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.K.Guru, AGP

ORDER

The petitioner has come forward with this Writ Petition to issue a Writ of Mandamus, directing the 2nd respondent to transfer the patta from the petitioner's father's name to his name for the vacant site in Survey No.364/6A, to an extent of 7 acres situated at Soolappuram Village, Peraiyur Taluk, Madurai District.

2.Mr.K.Guru, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition itself is taken up for final disposal.

3.The learned counsel appearing for the petitioner would submit that it would be suffice if the representation of the petitioner is disposed of, by the respondents, on merits and in accordance with law within the time stipulated by this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law.

5.Though the petitioner has sought for a Mandamus for transfer of patta, issuing patta is nothing but giving recognition of the lands possessed by the applicant. It is one of the essential documents for sale of the property in question. Hence, while transferring patta to the Revenue authorities has to consider each and every aspect involved in transferring patta, as it may very much affect the innocent owner. Therefore, without going into the merits of the claim



made by the petitioner in this Writ Petition, the respondents are directed to pass appropriate orders, on the representation of the petitioner, dated 29.06.2015, on merits and in accordance with law, after giving notice to the interested parties and also after verifying the relevant records as on date viz., legal heirship certificate, etc., within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition stands disposed of.
No costs.

Sd/-
Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Collectorate Building,
Madurai 625 020.

2.The Thasildar,
Peraiyur Taluk,
Peraiyur,
Madurai - 625 020.

+1cc to Mr.A.Balaji,Advocate SR.No. 42817
+1cc to Special Govt.Pleader SR.No.43619

W.P. (MD) No.13659 of 2015
31.07.2015

nbg
PA/JGB/AAL/SAR-II/20.08.2015/2P/5C