



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.08.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P (MD) .No.14992 of 2015

WEB COPY

P.Kavitha

... Petitioner

Vs.

1. The District Collector,
Trichirappalli.

2. The Revenue Divisional Officer,
Musiri, Trichy District.

3. The Tahsildar, (Natham Survey),
Musifi, Trichy District.

... Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 2 and 3 to consider the representation of the petitioner, dated 19.05.2015 regarding transfer of patta relating to the property comprised in Natham S.F.Nos.821/16, 821/15, 822/4, 822/6.

For petitioner : Mr.V.Singan

For Respondents : Mr.S.Kumar,

Additional Government Pleader

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondents 2 and 3 to consider the representation of the petitioner, dated 19.05.2015 regarding transfer of patta relating to the property comprised in Natham S.F.Nos.821/16, 821/15, 822/4, 822/6.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. The case of the petitioner is that the property comprised in Natham S.F.Nos.821/16, 821/25, 822/4 & 822/6 belongs to the petitioner. The previous survey number of the said property was S.F.No.167/1A1. The above items of property originally belonged to the father-in-law of the petitioner by name Srinivasan. The father-in-law of the petitioner had executed a gift settlement deed in favour of the husband of the petitioner on 24.07.2006.



The said document was properly executed. The husband of the petitioner died intestate on 15.06.2015 leaving the petitioner and her children as legal heirs. The said property is in possession and enjoyment of the petitioner and the other legal heirs are her minor children. In view of minority, her children may not be able to stake a claim for transfer of patta in their name. Therefore, on 19.05.2015 the petitioner submitted a representation before the Jamabandhi Officer at Musiri. The said representation was not considered so far and hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the facts and circumstances of the case, this Court is constrained to pass the following order:

Without going into the merits of the matter, this Court directs the petitioner to send a fresh representation to the third respondent within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the third respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties if any, within a period of six weeks thereafter.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Trichirappalli.
2. The Revenue Divisional Officer,
Musiri, Trichy District.
3. The Tahsildar, (Natham Survey),
Musifi, Trichy District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO.45550

PM

TE/NGM-SS/SAR(PA) 08/09/2015 2P/5C

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