



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD)No.19515 of 2015

C.Dennis

..Petitioner

Vs

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tashildar,
Kalkulam Taluk,
Kanyakumari District.

3.The Village Administrative Officer,
Mecode Village,
Chenkody Post,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the second respondent herein to effect transfer of patta by considering the petitioner's representation, dated 24.08.2015 together with reminder thereto, dated 06.10.2015 within a reasonable time as may be specified by this Court.

For Petitioner :Mr.E.V.N.Siva

For Respondents :Mr.M.Murugan,
Government Advocate

ORDER

The Writ Petition has been filed by the petitioner praying for a Writ of Mandamus directing the second respondent herein to effect transfer of patta by considering the petitioner's representation, dated 24.08.2015 together with reminder thereto, dated 06.10.2015 within a stipulated time.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

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

4. In the affidavit it has been averred that the petitioner herein had purchased 38 cents and 285 square links of land in Re.Surevey No.653/1 and 28 cents of land in Re.Survey No.674/6 of Mecode Village through a registered sale deed dated 10.08.2011. From the date of purchase, the petitioner is in possession and enjoyment of the above said property. Thereafter, the petitioner has made a representation to the respondents on 24.08.2015 requesting to transfer patta in the name of the



petitioner in respect of the above said property. But, there was no action on the part of the respondents. Hence, the petitioner had sent a reminder to the second respondent on 06.10.2015. The same was also not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

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5. Considering the submissions made by the learned counsel appearing for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent to consider the representation of the petitioner, dated 06.10.2015 and pass appropriate orders with regard to change of patta in the name of the petitioner, in respect of the land measuring to an extent of 38 cents and 285 square links of land in Re.Surevey No.653/1 and 28 cents of land in Re.Survey No.674/6 of Mecode Village, by affording an opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to consider the same purely on merits.

6. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tashildar,
Kalkulam Taluk,
Kanyakumari District.

3.The Village Administrative Officer,
Mecode Village,
Chenkody Post,
Kanyakumari District.

+1cc to Mr.E.V.N.Siva, Advocate SR.No.63054
+1cc to special Government Pleader SR.No.63184

SH:DP-JGB:17.11.2015:2P/6C

W.P (MD) No.19515 of 2015
28.10.2015