

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2016

CORAM

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

W.P.No.1221 of 2016

S.Jamunarani

... Petitioner

Vs.

1. The Tahsildar,
Avinashi Taluk,
Tirupur District.

2. S.K.Damodharan

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent authorities to transfer the patta in respect of properties stands in the petitioners husband in S.No. 187/3B, S.No. 187/4B, S.No. 187/1A, S.No. 187/1B, S.No. 188/4, S.No. 188/1, S.No. 189/1, S. No. 189/6, S.No. 189/5, S.No. 165/7, S.No. 165/4, S.No. 165/6, S.No. 165/9, S.No. 165/5 to in favour of petitioner along with her children by considering the petitioners representation dated 21.12.2015.

For Petitioner : Mr.A.V.Raja

For Respondent No. 1: Mrs.P.Rajalakshmi,
Additional Government Pleader

O R D E R

The petitioner made a representation on 21.12.2015 giving her objection for transfer of Patta in the name of the respondent No.2 on the ground that it is a joint family property belonging to her husband as well as the respondent No. 2 being his brother. Thereafter, the present writ petition was filed by the petitioner stating that in pursuance of the death of her husband, the patta in his name will have to be transferred in the name of the petitioner being his wife and her children.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent No. 1.

3. Considering the above facts, the prayer sought for in this writ petition is a matter of adjudication by the respondent No. 1. Thus, direction is issued to the respondent No. 1 to consider and pass appropriate orders on the pending representation of the petitioner dated 21.12.2015, within a period of eight weeks from the date of receipt of copy of this order, after affording an opportunity of hearing to the petitioner, her children as well as the respondent No. 2. While passing appropriate orders, the respondent No. 1 shall consider the inclusion of names of the petitioner and her children in the place of her deceased husband.

4. With the above direction the present writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rms

To
The Tahsildar,
Avinashi Taluk,
Tirupur District.

+1 cc to Mr.A.V.Raja, Advocate, sr.2166
+1 cc to Government Pleader, sr.2419

सत्यमेव जयते

W.P.No.1221 of 2016

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