

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12848 of 2016

V.Lathapremkumar

.. Petitioner

Vs.

1. The District Collector,
Collectorate, Salem District.

2. The District Revenue Officer,
Collectorate, Salem District.

3. The Revenue Divisional Officer,
Attur Taluk, Salem District.

4. The Tahsildar,
Attur Taluk and Post,
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third and fourth respondents to consider the petitioner's representation, dated 08.02.2016 and reminder representation, dated 30.03.2016 and to name transfer in patta No.66 in favour of the petitioner bearing S.No.261/9 to the extent of 0.39.50 acres situated in Malakarai Village, Attur Taluk, Salem District, belonging to the petitioner.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.V.S.Ramesh, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the third and fourth respondents to consider the petitioner's representation, dated 08.02.2016 and reminder representation, dated 30.03.2016 and to name transfer in patta No.66 in favour of the petitioner bearing S.No.261/9 to the extent of 0.39.50 acres situated in Malakarai

Village, Attur Taluk, Salem District, belonging to the petitioner.

2. In the affidavit filed in support of the Writ Petition, it is averred by the petitioner that the above said property originally belonged to her father who was in possession and enjoyment of the same throughout his lifetime. The patta bearing No.66 is in her father's name and her father died on 09.03.2010. After her father's death, the petitioner has been in possession and enjoyment of the property and she alone is the legal heir of her father. She applied for Bank loan from State Bank of India, Attur Branch, and the same is under process; the Bank Manager seeks patta for the purpose of sanctioning loan. As the patta stands in her father's name, she made a representation, dated 08.02.2016 to the respondents, and inspite of sending reminder, dated 30.03.2016, no action is taken by the respondents. Hence, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the third and fourth respondents to consider the said representation of the petitioner, dated 08.02.2016, followed by reminder, dated 30.03.2016, conduct enquiry, give an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said representation/reminder, on merits and in accordance with law, within a period of six 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 of the petitioner and it is for the respondents 3 and 4 to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

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Sub Assistant Registrar

CS

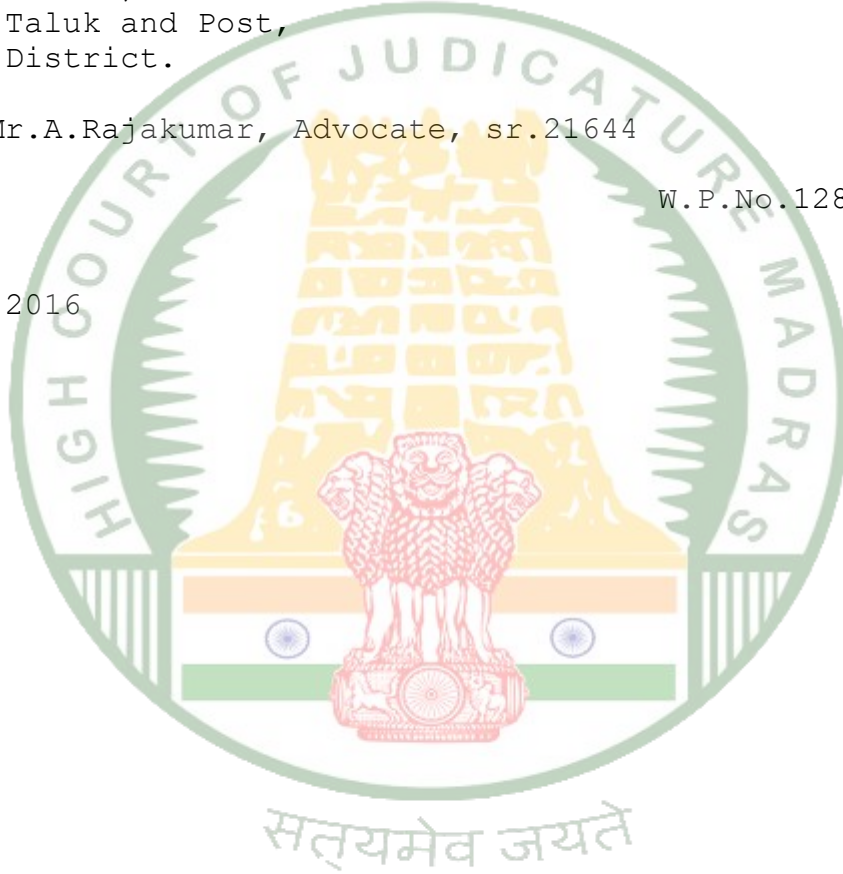
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1. The District Collector,
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Collectorate, Salem District.
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Attur Taluk, Salem District.
4. The Tahsildar,
Attur Taluk and Post,
Salem District.

+1 cc to Mr.A.Rajakumar, Advocate, sr.21644

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ksj co
kra 25.04.2016



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