

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.20546 of 2016

Saroja @ Chandrabanu

... Petitioner

Vs.

The Tahsildar,
O/o The Tahsildar,
Pollachi,
Coimbatore District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondent to transfer the patta in the name of Mrs.Vallinayagam wife M.V.Chellamuthu Gounder, Mrs.Jayalakshmi Daughter of M.V.Chellamuthu Gounder, Mrs.Rajeswari, Daughter of M.V.Chellamuthu Gounder, Saroja @ Chandrabanu daughter of M.V.Chellamuthu Gounder by considering the petitioner's representation dated 31.03.2016.

For Petitioner : Mr.R.Shanmugam

For Respondent : Mr.R.Vijayakumar

Additional Government Pleader

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner would state that her father had settled a property in S.No.1488, Patta No.637 ad-measuring to an extent of 52.46 acres situated at Kottur Malayandipattinam Village in favour of his second wife viz., Trt.Manounmani by a registered settlement deed dated 13.12.1953 bearing document No.4013/1953. The father of the petitioner died on 05.12.1967 and mother of the petitioner died intestate on 15.09.1996. According to the petitioner, apart from her mother, two sisters viz., Mrs.Jayalaskhmi and Mrs.Rajeswari and the petitioner are the only legal heirs of the deceased Mrs.Manounmani and they filed a suit in O.S.No.360 of 2012 on the file of the Court of District Munsif, Pollachi prayed for declaration and a decree was passed on 08.06.2013, declared that the petitioner's mother viz., Vallinayagam as well as the petitioner and her two sisters viz., Mrs.Jayalaskhmi and Mrs.Rajeswari, are the legal heirs of the deceased. The

petitioner submitted a representation dated 31.03.2016, praying for issuance of transfer of patta and since no order has been passed, came forward to file this writ petition.

3. Heard the submissions of Mr.R.Shanmugam, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Governmentt Pleader, who accepts notice on behalf of the respondent.

4. Though the petitioner prays for the larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the respondent to consider and the dispose of the petitioner's representation dated 31.03.2016 in accordance with law, after putting on notice the persons concerned and pass orders within period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the persons concerned.

This Writ Petition is disposed of accordingly. No costs.

vsm

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The Tahsildar,
O/o The Tahsildar,
Pollachi,
Coimbatore District.

+1cc to Mr.S. Saravanan, Advocate, S.R.No.33573
+1cc to the Government Pleader, S.R.No.33733

LRS (CO)
EU(29/06/2016)

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