

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9901 of 2016

P.Thangavel

.. Petitioner

Vs.

1. The District Collector,
Namakkal District, Namakkal.

2. The Tahsildar,
Paramatthivellore Taluk,
Namakkal District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent to transfer patta No.727 in respect of the land in S.No.387-8 of Kabilar Kurichi Village, Kabilarmalai, to the name of the petitioner, based on his representation, dated 04.12.2015.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.S.Navaneethan, Addl.G.P

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent to transfer patta No.727 in respect of the land in S.No.387-8 of Kabilar Kurichi Village, Kabilarmalai, in the name of the petitioner, based on his representation, dated 04.12.2015.

2. It is stated by the petitioner that his father purchased the above said land by way of sale deed, dated 25.06.1994 in Doc.No.6552/1999 on the file of the SRO, Paramathi, and on purchase, his father approached the second respondent and got transferred the patta in his name. The second respondent, by proceedings in No.25496-II/2010/2011, dated 29.08.2011, effected transfer of patta in his father's name in patta No.727. Subsequent to the settlement of the land by his father in favour of the petitioner by way of settlement deed, dated 16.11.2015 in Doc.No.3701 of 2015 on the file of the SRO, Paramathi, the land stood in the petitioner's name, but however, the patta stood in

his father's name. It is the grievance of the petitioner that the possession of the land is now with the petitioner on transfer to his name, he approached the second respondent for transfer of patta in his name, by way of representation, dated 04.12.2015 and the second respondent, on receipt of the said representation, by proceedings in O.Mu.No.8243/2015/A4, dated 10.12.2015 requested the Village Administrative Officer (VAO) to take necessary steps for transfer of patta in the name of the petitioner, but since then, no progress had been made. Hence, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Considering the above factual aspects of the matter, without going into the merits of the claim of the petitioner, this Court directs the second respondent to consider the said representation, dated 04.12.2015 of the petitioner, conduct enquiry, give an opportunity of hearing to the petitioner and other necessary parties and thereafter pass appropriate orders and dispose of the said representation, 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 second respondent to decide the same.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

Copy to

1. The District Collector,
Namakkal District, Namakkal.

2. The Tahsildar, Paramatthivellore Taluk,
Namakkal District.

+ 1 cc to Mr.M.Selvam, Advocate Sr 17126

+ 1 cc to The Govt.Pleader, Sr 17435

KR/30/3/16

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