



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPALW.P (MD) No.15842 of 2016

Vasugi Ravi

... Petitioner

Vs.

1.The District Collector,
Thanjavur District.2.The Revenue Divisional Officer,
Pattukottai Taluk,
Thanjavur District.3.The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.4.The Taluk Surveyor,
Pattukkottai Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the Respondents herein to issue transfer of patta and mutation of revenue records in favour of the petitioner for the properties allotted to her under the registered partition deed, dated 16.07.2010 vide Doc.No.1127/2010 as per the representation of the Petitioner, dated 20.01.2015 within a reasonable time.

For Petitioner : Mr.C.Padmaraj

For Respondents : Mr.S.Kumar,

Additional Government Pleader

O R D E R

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal. No counter-affidavit is filed on behalf of the Respondents.

2. According to the Petitioner, her mother had acquired the properties in question by means of sale deeds, dated 15.10.1968 and 20.06.1978. Her father had also acquired numerous other properties. In the year 1990, there was a settlement proceedings and title to the aforesaid properties were conferred on her father and mother by the Special Tahsildar (Natham Land Tax Scheme),



Pattukkottai, by means of proceedings, dated 12.02.1990 and in fact, patta was granted for S.No.s.86/17C, 17E, 86/18B, 86/18C, Ponnavaarayankottai Hamlet, Pattukkottai Taluk, Thanjavur District, in favour of her mother Nagalakshmi.

3. It comes to be known that pursuant to the grant of settlement patta, there was sub-division in the Field Measurement Book maintained by the Village Administrative Officer, Ponnavaarayankattai Group, Pattukkottai Taluk, she is entitled for separate patta for the allotment of properties, as per the registered partition deed, dated 16.07.2010 among their family members in respect of Survey Nos.86/17, 17-B and 86/18.

4. The categorical stand of the Petitioner is that she has been repeatedly approaching the Third Respondent/Tahsildar, Pattukkottai Taluk, Thanjavur District, thereafter, the Second Respondent and the First Respondent, for transfer of patta in her name in terms of the registered partition deed and mutation of revenue records. In fact, the Revenue Authorities are bound to issue transfer of patta immediately, after the transaction which took place in respect of the property in question.

5. It transpires that the Petitioner had addressed a representation to the Respondents-1 to 3 for issuance of transfer of patta and mutation of revenue records in her favour, the Second Respondent through proceedings, dated 19.01.2015, had directed the Third Respondent to take necessary action on her request and further, directed him to communicate the progress in the matter. Since there was no response from the Third Respondent, she sent a further representation to the First Respondent on 16.03.2015, making a request to direct the Respondents-2 to 4, to issue transfer of patta and mutation of revenue records in respect of the aforesaid properties.

6. In reality, the District Revenue Officer, Thanjavur, by means of proceedings, dated 15.04.2015, had directed the Second Respondent to take necessary action on her plea in regard to the issuance of transfer of patta and mutation of revenue records. Since there was no further action on her further representation, a similar communication and direction was issued to the Second Respondent by the District Revenue Officer, Thanjavur, dated 07.07.2015. Later, the Sub-Collector, Pattukkottai by means of proceedings, dated 28.01.2016, had directed the Third Respondent to take action on her representation and submitted a report within a weeks time. Despite her repeated request to the Respondents- 1 to 3 etc., no action is taken by the Respondents- 3 and 4.

7. Considering the fact that the Petitioner in the main Writ Petition seeks a limited relief of passing of an order by this Court to consider her representation, dated 20.01.2015 by the Respondents, at this stage, this Court, simpliciter, directs the



Third Respondent/Tahsildar, Pattukkottai Taluk, Thanjavur District, to look into the representation of the Petitioner, dated 20.01.2015 within one week from the date of receipt of a copy of this order. Thereafter, the Third Respondent/Tahsildar, Pattukkottai Taluk, Thanjavur District, is to pass a reasoned speaking order on merits, within a period of three weeks (Of course after adhering to the Principles of Natural Justice by issuing notice to the Petitioner and others concerned if any, who are interested in the subject matter in issue). In case, the Third Respondent is in need of any copy of relevant records/certified copy of documents, as the case may be, then, it is open to the Third Respondent to call for such records/documents from the possession of the Petitioner by means of issuance of memo/notice and soon after receipt of such memo/notice, it is incumbent on the part of the Petitioner to comply with the plea/request made by the Third Respondent without any haziness or hesitation, as expeditiously as possible, so as to enable the Third Respondent, to do the needful, within the time adumbrated by this Court, as stated supra. Needless for this Court to make a significant mention that the Petitioner is to render her assistance and instinted co-operation to the Third Respondent in the subject matter in issue.

With the above said Direction(s)/Observation(s), this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Thanjavur District.
- 2.The Revenue Divisional Officer,
Pattukkottai Taluk,
Thanjavur District.
- 3.The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.
- 4.The Taluk Surveyor,
Pattukkottai Taluk,
Thanjavur District.

+1cc to Special Government Pleader SR.No.47422

+1cc to M/s.C.Padmaraj, Advocate SR.No.46840

W.P (MD) No.15842 of 2016

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