



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2016

CORAM

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P(MD) .No.21903 of 2016

Subramani @ Subburaj

... Petitioner

Vs

1.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the second respondent to change and issue assignment patta in petitioner's name for the property in survey number 859/1, Vilpatti Village, by considering the petitioner's representation dated 03.10.2016 within a stipulated time.

For petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

The writ petition has been filed for a direction, directing the second respondent to change and issue assignment patta in petitioner's name for the property in survey number 859/1, Vilpatti Village, by considering the petitioner's representation dated 03.10.2016 within a stipulated time.

2. According to the petitioner, earlier, an extent of 0.88.0 hectares in Sy.No.859/1, situate in Vilpatti Village has been assigned with the petitioner. Thereafter, the patta was transferred in favour of the petitioner's wife one Saraswathi and there was some litigation in respect of the above said transfer. The assignment was cancelled by the District Collector and the same was challenged before this Court and this Court in W.P.(MD). No.3686 of 2016, set aside the order of cancellation, by an order dated 27.07.2015 and the patta stands in the name of the petitioner's wife, thereafter, she expired on 24.08.1999. Hence, on 03.10.2016, the petitioner filed an application before the Revenue Divisional Officer/second respondent to transfer the patta in the name of the petitioner. Since no order has been passed till date, the present writ petition has been filed.



3. Mr.J.Gunaseelan Muthiah, learned Government Advocate appearing for the respondents, on instructions submitted that the petitioner's application for transfer of patta will be considered by the second respondent, within a time frame to be fixed by this Court.

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4.Taking into consideration that the petitioner's application is pending before the second respondent, the second respondent is directed to consider the petitioner's application, dated 03.10.2016 and pass orders within a period of 12 weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is closed. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

+1cc to Mr.T.A.Ebenezer, Advocate SR.No.69429
+1cc to special Government Pleader SR.No.69340

vs

sm:MPA:29/12/2016:2P/5C

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