



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P. (MD) No.6865 of 2011

K.Ganesan : Petitioner

Vs.

1.The District Collector,
Collectorate, Madurai.2.The Tashildar,
Taluk Office,
Thirumangalam,
Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the second respondent to grant patta in the petitioner name for the property situated in S.No.462/18, Malakottai Village, Thirumangalam Taluk, Madurai District, on the basis of petitioner's patta transfer application dated 28.02.2011.

For Petitioner :Mr.S.Rajeshkumar

For respondents : Mr.M.Murugan
Government Advocate

O R D E R

The petitioner wanted the Tahsildar to mutate the entry with regard to patta on the strength of the Will. Since representation for mutation was not taken up by the second respondent, the petitioner is before this Court.

2. The petitioner is nowhere connected with the property bearing S.No.462/18, Malakottai Village, Thirumangalam Taluk, Madurai District. According to him, he supported one Ramakkal, who succeeded the property owned by her husband Thirumalainayakar. Thereafter, the said Ramakkal executed a Will on 29.04.2010 in favour of the petitioner and she died. It was only on the strength of the Will, the petitioner wanted to mutate



the property revenue records

3. There is no question of directing the Tahsildar to mutate the entries on the basis of a Will. The petitioner has to take action in accordance with law for probating the Will or other proceedings to prove the Will.

4. The petitioner is given liberty to approach the Tahsildar after proving the Will in the manner known to law.

5. This Writ Petition is disposed of, with the above observation.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

ssm

To

1.The District Collector,
Collectorate, Madurai.

2.The Tahsildar, Taluk Office,
Thirumangalam, Madurai District.

+1CC to Spl.Government Pleader Sr.No.49121

GJM/GSV/PM/19.9.16-2p-4c

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