



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.10505 of 2017

V.Dhanasekaran

... Petitioner

-vs-

1.The District Collector,
Theni District,
Theni.

2.The Tahsildar,
Andipatti Taluk Office,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to dispose of the enquiry in Na.Ka.No.2795-16-A5 regarding the transfer of patta having No.635 in the petitioner's name to the site having survey number 348/16, within the stipulated time as fixed by this Court.

For Petitioner : Mr.G.Solai Raja
For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

The prayer in the writ petition is for issuance of writ of Mandamus directing the second respondent to dispose of the enquiry in Na.Ka.No.2795-16-A5 regarding the transfer of patta for the land in Survey Number 348/16 within a time frame.

2. The case of the petitioner is that the house site in Survey Number 387/16 of Balakombai Village, Andipatti Taluk, Madurai District originally belonged to his mother. After the demise of the petitioner's father, his mother executed a registered Will in favour of the petitioner in respect of the property in dispute.

3. The petitioner would allege that he has given an application before the second respondent for transfer of patta in his name. The second respondent did not pass any favourable order. Hence, on 07.06.2016, the petitioner submitted a representation to the Jamabanthi Officer requesting transfer of patta in his name.



Since no order was passed, the present Writ Petition is filed by the petitioner.

4. Heard Mr.G.Solai Raja, learned Counsel appearing for the petitioner and Mr.M.Alagathevan, learned Special Government Pleader, who takes notice for the respondents.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to pass order in the enquiry in Na.Ka.No.2795-16-A5, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after providing an opportunity to the petitioner as well as the other necessary parties.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Andipatti Taluk Office,
Theni District.

+One cc to The Special Government Pleader, SR.No.59263

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