



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.06.2017
CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.11972 of 2017

WEB COPY

K.Ayyachamy

.. Petitioner

Vs.

The Tahsildar,
Marungapuri Taluk Office,
Marungapuri,
Kallupatty,
Trichy District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondent herein to change the Patta in favour of the petitioner's name in S.Nos.227/2, 411, 416/2 & 414/1, based on the Patta Transfer Application submitted by the petitioner before the respondent in No.2017/0103/15/050996, dated 24.03.2017.

For Petitioner	: Mr.G.Karuppasamy Pandiyan
For Respondent	: Mr.M.Alagathevan Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent herein to change Patta in favour of the petitioner in respect of the properties in S.Nos.227/2, 411, 416/2 and 414/1, based on the Patta Transfer Application No.2017/0103/15/050996, dated 24.03.2017, submitted by him before the respondent herein.

2.Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal.

3.The case of the petitioner is that his paternal uncle S.Chinnagounder has purchased certain properties through registered documents, dated 09.03.1989, 01.09.1988, 11.11.1987 and 24.12.1990, in various survey numbers from different persons. Pursuant thereto, he had been in possession and enjoyment of the same till he passed away, i.e., on 26.12.2009.

4.The petitioner would claim that the said S.Chinnagounder has executed a Will, dated 04.11.2009, in favour of the petitioner, bequeathing his properties covered in Patta Nos.1022, 1035, 1059 and 1628. Based on the said Will, the petitioner approached the



respondent to transfer Patta in his name and also applied through online on 17.03.2017. Since no action was taken, the present Writ Petition is filed.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

6. Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the respondent to consider the application of the petitioner, dated 24.03.2017, after providing an opportunity to all the necessary parties and pass appropriate orders on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of. No costs.

sd/-

Assistant Registrar (Crl. side)

/True copy/

sub Assistant Registrar

To

The Tahsildar,
Marungapuri Taluk Office,
Marungapuri,
Kallupatty,
Trichy District.

+1cc to Mr. G. Karuppasamy Pandian, Advocate, SR. 62474

+1cc to M/S. Special Government Pleader, SR. 63006

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