



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.16277 of 2017

N.Chinnamayan

... Petitioner

Vs.

1. The District Collector,
Theni District.
2. The Revenue Divisional Officer,
Periyakulam,
Theni District.
3. The Thasildar,
Aundipatti,
Theni District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 3rd respondent to transfer the patta in favour of the petitioner in respect of the property in survey No.25/2D measuring 1 acre 76 cents and in survey No.37A/1B measuring 76 cents situated at pit-1 Aundipatti village, Aundipatti Taluk, Theni District based on his representation dated 21.07.2017.

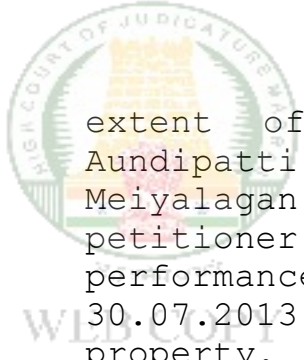
For Petitioner	:	Mr.M.Subash Babu
For Respondents	:	Mr.Muthukaruppan, Additional Government Pleader

O R D E R

The petitioner seeks for a direction to the third respondent to transfer the patta in favour of the petitioner based on his representation dated 21.07.2017.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he entered into an agreement of sale with one Meiyalagan with regard to the property in S.No. 25/2D to an extent of 1 acre 76 cents and in S.No.37A/1B to an



extent of 76 cents situated at pit-1 Aundipatti village, Aundipatti Taluk, Theni District, on 11.03.2010. Since the said Meiyalagan did not come forward to execute the sale deed, the petitioner filed a suit in O.S.No.175 of 2010 for specific performance. Based on the decree, the sale deed was executed on 30.07.2013. The petitioner was also in possession of the property. Thereafter, he approached the respondents seeking patta. Since it was not considered, he filed a writ petition in W.P(MD)No.9620 of 2014 for a direction to consider his case. Subsequently, the third respondent insisted production of delivery certificate from the Court. After obtaining the delivery certificate, on 20.02.2017, he again approached the third respondent on 23.05.2017 for transfer of patta. Since no favourable order was passed, the present writ petition.

4. In the light of the above facts, this Court, without going into the merits of the matter, directs the 3rd respondent to consider the representation of the petitioner dated 21.07.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District.
2. The Revenue Divisional Officer,
Periyakulam,
Theni District.
3. The Thasildar,
Aundipatti,
Theni District.

+1cc to Mr.M.Subash Babu, Advocate Sr.No.75629

+1cc to Spl.Government Pleader Sr.No.75762

SKN

VB/SV/MMS/SAR3/19/09/2017/2P/6C