



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.18130 of 2017

S.Jeyaraj

... Petitioner

-Vs-

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

... Respondents

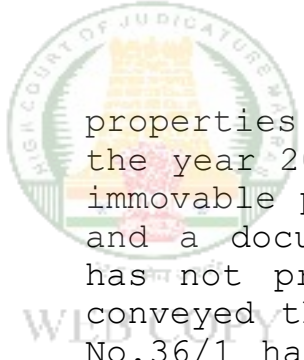
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to issue separate Patta in the name of the petitioner on the basis of the petitioner's representation dated 12.08.2017.

For Petitioner : Mr.M.Sankar
For Respondents : Mr.S.Sadhishkumar
Additional Government Pleader.

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the second respondent to issue separate patta in favour of the petitioner based on his representation dated 12.08.2017.

2.The petitioner claims that he has purchased an extent of one cent in Survey No.36/1 (Old Survey No.1058) in Thadikkarankonam village, Thovalai Taluk, Kanyakumari District by a registered sale deed dated 22.08.2016. The petitioner further states that he has purchased another extent of three cents by way of two separate unregistered sale deeds in 2004 and 2010. Petitioner claim ownership over an extent of 4 cents under three sale deeds, registered sale deed and two unregistered sale deeds. The petitioner seeks transfer of patta in his favour. The petitioner has not stated as to how he has purchased the



properties from the owners under the unregistered sale deeds of the year 2004 or 2010. As per the Transfer of Properties Act, any immovable property can be conveyed only by a registered instrument and a document without registration is invalid. The petitioner has not produced any document to show that his vendor, who had conveyed the properties measuring an extent of one cent in Survey No.36/1 had any patta or title and the document dated 22.08.2016 also is produced before this Court. In these circumstances, the request for transfer of patta in favour of the petitioner, without such materials, cannot be entertained by this Court. This Writ Petition is therefore dismissed. No costs.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

SRM
RL/3C/2P/SKN/RSK/SAR1/9/10/2017

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