



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM**W.P. (MD) No.6093 of 2017**

WEB COPY

Rajammal

: Petitioner

-vs-

1. The District Collector,
Sivagangai.2. The Tahsildhar,
Sivagangai Taluk,
Sivagangai District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the 2nd respondent to transfer the name of the patta in the name of the petitioner in respect of property situated in Okkur Village, Sivagangai Taluk and District, in Survey No.409/9 having old patta No.1375, having an extent of 0.85.0 Hectare, based on the petitioner's representation, dated 17.02.2017 within time frame.

For Petitioner

: Mr.M.Senthil Ayyanar

For Respondents

: Mr.D.Muruganandham

Additional Government Pleader

O R D E R

The prayer sought for in this writ petition is to direct the 2nd respondent to transfer the patta in the name of the petitioner in respect of property situated in Okkur Village, Sivagangai Taluk and District, in Survey No.409/9 (Old patta No.1375) to an extent of 0.85.0 Hectare, based on the petitioner's representation, dated 17.02.2017 within a time frame.

2.According to the petitioner, she purchased 30 cents of land in Survey No.409/9 of Okkur Village, Sivagangai Taluk from one Sumathi through a registered sale deed in the year 2010 and since then, she has been in possession and enjoyment of the same. The right of the petitioner is also confirmed by the civil court in a compromise decree passed in O.S.No.196 of 2008 on the file of the District Munsif, Sivagangai.



3.The petitioner would state that based on the sale deed and the judgment of the civil court, the petitioner applied for patta and also paid necessary fees in the year 2014. Since, no order was passed, the petitioner sent a representation, dated 17.02.2017. Despite the same, the respondents have not taken any steps. Hence, the present writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on records.

5.Considering the nature of the prayer sought in this writ petition and also considering the submissions made on either side, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner, dated 17.02.2017 and pass orders purely on merits and in accordance with law, within a period of eight weeks from the date of receipt of the order copy, after providing opportunity of hearing to the petitioner as well as the necessary parties, if any. No costs.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To,

1. The District Collector,
Sivagangai.
2. The Tahsildhar,
Sivagangai Taluk,
Sivagangai District.
3. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SENTHIL AYYANAR, Advocate, SR No. 62418
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 62516

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PSM/KKR/SAR2/14.07.2017/2P/6C

W.P. (MD) No. 6093 of 2017
28.06.2017