

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.23853 of 2013
and MP.No.1 of 2013

Mrs.Kantha mani

..Petitioner

Vs

The Tashildhar
Arcot Taluk,
Arcot District.

..Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondent to consider and pass order on merits as per law by disposing the representation of the petitioner dated 20.07.2013 in respect of name transfer of patta within a stipulate period.

For Petitioner : Ms.P.Kavitha

For Respondents : Mr.V.Shanmuga sundar
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent and perused the material available on record.

2. The petitioner has come forward with this petition seeking for issuance of a writ of mandamus to direct the respondent to consider and pass order on merits as per law by disposing the representation of the petitioner dated 20.07.2013 in respect of name transfer of patta.

3. The case of the petitioner is that she became the absolute owner of the property in Survey Nos.365 and 365/2, totalling 3 acre and 8 cents at Melpudupakkam Village, by virtue of sale deeds dated 14.05.1986 and 25.08.1986. She immediately applied for transfer of patta in her name on 02.06.1989.

4. It is alleged that the petitioner's vendor Munusamy had again sold the same property in favour of some third parties on 14.07.2008 and 06.06.2008 and the sale deeds were cancelled

on 23.12.2010 and registered as document Nos.96/2011 and 97/2011. Thereafter, the petitioner approached the respondent for transfer of patta and submitted her representation on 20.07.2013. Since no action was taken the present writ petition.

5. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the respondent to consider the representation of the petitioner.

6. The learned Special Government Pleader appearing for the respondent submitted that this writ petition has been filed based on the notice issued by an Advocate on 20.07.2013 and if a proper application is given, the respondent is ready to take appropriate action.

7. In the light of the limited prayer sought for in the writ petition and the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give fresh application to the respondent, by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks therefrom.

8. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

pvs

To

The Tashildhar
Arcot Taluk,
Arcot District.

+1cc to Mr.B.DIVAKARAN, Advocate, S.R.No. 39015
+1cc to the Government Pleader, S.R.No.39093

W.P.No.23853 of 2013

TR(02/07/2018)