

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.15979 of 2013

T.Subbulakshmi

.. Petitioner

Vs.

1.The Tahsildar,
Coimbatore North Circle,
Coimbatore - 641 010.

2.Mohan Raj

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to remove the name of the second respondent and consequently transfer the patta No.991 to the name of the petitioner.

For Petitioner : Mr.S.Karthikei Balan

For Respondents : Mr.B.Anand
Government Advocate for R1

Mr.T.Sellakannan for R2

O R D E R

Heard Mr.S.Karthikei Balan, learned counsel for the petitioner; Mr.B.Anand, learned Government Advocate for the first respondent; Mr.T.Sellakannan, learned counsel for the second respondent and perused the materials available on record.

2. The prayer in the Writ Petition is to issue a Writ of Mandamus directing the first respondent to remove the name of the second respondent in patta No.991 and transfer in her name.

3. The case of the petitioner is that the land in Survey No.240/1 of Mathampatti Village is owned by her father-in-law Palani Gounder and by virtue of a Will dated 12.02.2001, she has life interest and a patta was also issued in favour of her.

4. The grievance of the petitioner is that the first respondent without notice to the petitioner had transferred the patta in the name of her son, the second respondent herein. Despite representations of the petitioner dated 30.10.2012 and 09.01.2013, no action was taken.

5. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the first respondent to take appropriate action on the representations of the petitioner.

6. The learned Government Advocate submitted that the first respondent is ready to consider the representations of the petitioner.

7. In the light of the above submissions, this Court without going into the merits of the case, directs the first respondent to consider the representations of the petitioner dated 30.10.2012 and 09.01.2013 and pass appropriate orders, after providing opportunity to all necessary parties, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

r n s

To

The Tahsildar,
Coimbatore North Circle,
Coimbatore - 641 010.

+ 1 cc to Mr. Karthikey Balan, Advocate Sr.39190
+ 1 cc to Mrs.T.S. Kanmani, AdvocateSr.39040

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(CCC)
EU(03/07/2018)