

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.28032 of 2013

Subramaniyan

...Petitioner

Vs.

The State,
Represented by the Tahsildar,
Thittagudi Taluk Office,
Thittagudi,
Cuddalore District.

...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondent to consider the representation of the petitioner dated 28.06.2013 and transfer the Patta from the name of the petitioner's grand mother Nallammal to the petitioner's name as per the Registered Will dated 05.08.1985, bearing Survey Number 83/1 K, Patta No.250, measuring an extent of 9.1/2 cents situated at Pullur Village, Thittagudi Taluk, Cuddalore District.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.N.Inbanathan

Additional Government Pleader

ORDER

The prayer sought for in this writ petition is for issuance of Writ of Mandamus to direct the respondent to consider the representation of the petitioner dated 28.06.2013 and transfer the Patta from the name of the petitioner's grand mother Nallammal to the petitioner's name as per the Registered Will dated 05.08.1985, bearing Survey Number 83/1 K, Patta No.250, measuring an extent of 9.1/2 cents situated at Pullur Village, Thittagudi Taluk, Cuddalore District.

2. The case of the petitioner is that the land measuring an extent of 9.1/2 cents situated at Pullur Village, Thittagudi Taluk, Cuddalore District was originally owned by his grand mother Nallammal and the petitioner became the absolute owner of

the property through the Registered Will dated 05.08.1985, after the demise of the grand mother on 03.01.1988. The petitioner approached the respondent for transfer of patta in his name, since his representation dated 28.06.2013 was not considered, the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

4. This writ petition is filed based on the representation dated 28.06.2013, but no proof of service to the respondent has been produced by the petitioner. Hence, the petitioner is directed to give a fresh representation to the respondent within a period of four weeks from the date of receipt of a copy of this order, by enclosing a copy of this order. On such compliance, the respondent shall consider the same and take appropriate action purely on merits, within a period of twelve weeks therefrom.

5. With the above observation and directions, the writ petition is disposed of. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

pvs / msrm

To

The Tahsildar,
Thittagudi Taluk Office,
Thittagudi, Cuddalore District.

+1 CC to Govt. Pleader sr 4081.

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SP(09/02/2018)

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