



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.17388 of 2018

Sudi Laxmi

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli-9.

2.The Zonal Tasildar,
Alangulam Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents particularly the second respondent herein to transfer the patta to the petitioner based on the sale deed document number 3340/2013 dated 13.09.2013 by considering the petitioner's online application No.2017/0103/29/091804 dated 22.12.2017 within time frame may be fixed by this Court.

For Petitioner : Mr.R.Vinoth Bharathi

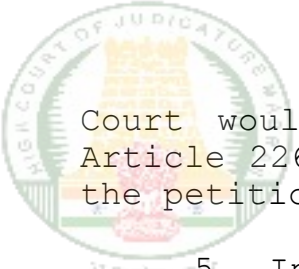
For Respondents : Mr.V.Anand,
Government Advocate.O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that her application dated 22.12.2017, seeking to transfer the patta to the petitioner based on the sale deed document number 3340/2013, dated 13.09.2013, has not been considered by the second respondent till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever a application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this



Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's application dated 22.12.2017 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1.The District Collector,
Tirunelveli District,
Tirunelveli-9.

2.The Zonal Tasildar,
Alangulam Taluk,
Tirunelveli District.

+1cc to M/S.R.Vinoth Bharathi, Advocate SR.No. 76957

+1cc to Special Government Pleader, SR.No. 77307

W.P.(MD) No.17388 of 2018
03.08.2018

cp

JM/RSK/SAR 3/06.09.2018/2P/5C