

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2019

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.320 of 2019

D.C.Elangovan

.. Petitioner

Vs.

1. The Zonal Deputy Tahsildar,
Pappireddipatty Taluk,
Dharmapuri District.

2. N.Madhu

.. Respondents

PRAYER: The Writ Petition has been filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent to pass orders on the patta transfer application No.2018/0103/05/063435, dated 01.10.2018 seeking for the transfer of patta for the property measuring an extent of 1.01.5 hectares, comprised in Survey No.155/2A, Kadathur Village, Pappireddipatti Taluk, Dharmapuri District, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.A.E.Ravi Chandran

For 1st Respondent : Mr.E.Balamurugan
Special Government Pleader

सत्यमेव जयते
O R D E R

The instant Writ Petition has been filed for issuance of a Writ of Mandamus to direct the first respondent to pass orders on the application No.2018/0103/05/063435, dated 01.10.2018 seeking for the transfer of patta for the property measuring an extent of 1.01.5 hectares, comprised in Survey No.155/2A, Kadathur Village, Pappireddipatti Taluk, Dharmapuri District, within a stipulated time that may be fixed by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner is the owner of the property

measuring an extent of 1.01.5 hectares, comprised in Survey No.155/2A, Kadathur Village, Pappireddipatti Taluk, Dharmapuri District, by virtue of sale deeds dated 03.10.2010 and 03.11.2011. With regard to the subject property, a suit in O.S.No.530 of 2008 was filed before the District Munsif, Pappireddipatty, for specific performance, and the same was dismissed by judgment and decree dated 07.04.2017. He further submits that the petitioner, thereafter, has given an application dated 01.10.2018 through online before the 1st respondent for transfer of patta, but, the same is yet to be disposed of by the 1st respondent.

3. Heard Mr.E.Balamurugan, learned Special Government Pleader appearing for the 1st respondent.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on merits of the application, directs the 1st respondent/ Zonal Deputy Tahsildar, Pappireddipatty Taluk, Dharmapuri District, to consider the petitioner's application dated 01.10.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, the 2nd respondent and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of six (6) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

asi
To

The Zonal Deputy Tahsildar,
Pappireddipatty Taluk,
Dharmapuri District.

+1cc to Mr.A.E.Ravi Chandran, Advocate, S.R.No.7131

W.P.No.320 of 2019

PM(CO)
CS/11/02/20194