

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.1445 of 2019
and W.M.P.No.1595 of 2018

M.Anbalagan

.. Petitioner

Vs.

1. The Tahsildar,
Gingee Taluk,
Villupuram District.

2. The Zonal Deputy Tahsildar,
Gingee Taluk,
Villupuram District

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondents herein in respect of the endorsement order dated 08.12.2018 passed in the application for patta transfer dated 07.12.2018 by the second respondent herein and quash the same and thereby direct the respondents to grant patta to the petitioner in respect of Survey No.156/2B situate at Kongarapattu Village, Gingee Taluk, Villupuram District.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the records of of the second respondent herein in respect of the endorsement order dated 08.12.2018 passed in the application for patta transfer dated 07.12.2018 and quash the same and to direct the respondents to grant patta to the petitioner in respect of Survey No.156/2B situate at Kongarapattu Village, Gingee Taluk, Villupuram District.

2. Earlier, the petitioner had applied for transfer of patta on 07.12.2018 through on-line and the same was rejected by the second respondent on 08.12.2018, as an objection was raised by one Tamlarasan. Now, it is seen that the first respondent has sent a notice dated 13.12.2018 vide his Memo No.Na.Ka.A5/7991/2018 to the petitioner as well as the objector/Tamlarasan, who is none other than the petitioner's own brother, for an enquiry, which was to be held on 17.12.2018. The learned counsel appearing for the petitioner states that on that date, nothing had happened and the petitioner alleges bias on the Officer concerned and also seeks transfer of the matter to any other officer to conduct the enquiry.

3. However, the first respondent/Tahsildar, who sent the notice dated 13.12.2018 referred to above, is directed to fix the date of hearing and after issuing notice to both the parties and the persons interested in this regard and also affording them an opportunity of personal hearing, decide the matter, and pass appropriate orders on merits and in accordance with law. The above said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Srn
To

1. The Tahsildar,
Gingee Taluk,
Villupuram District.

2. The Zonal Deputy Tahsildar,
Gingee Taluk,
Villupuram District

+1 CC to Mr.N.Suresh, Advocate sr 4721.
+1 CC to Govt. Pleader sr 5089.

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SPD(CO)
SP(15/02/2019)