

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2019

CORAM

THE HONORABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12711 of 2019

Kamala

...Petitioner

Vs.

1. The District Collector,
Nagapattinam District,
Nagapattinam.

2. The Thasildar,
Kuthalam Taluk,
Nagapattinam District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to modify the entry in patta passbook No.1174 on the file of the 2nd respondent by point out the field boundary a property comprised in Survey No.254/4 situated at Rajagopalapuram Village measuring an extent of 3000 sq.ft and subsequently, transfer the patta in favour of the petitioner pursuant to her application dated 12.06.2018.

For Petitioner : Mr.M.Subash

For Respondents: Mr.R.Govindasamy
Special Government Pleader

सत्यमेव जयते
O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the second respondent to modify the entry in patta passbook No.1174 in respect of the property comprised in Survey No.254/4 situated at Rajagopalapuram Village, measuring an extent of 3000 sq.ft and subsequently, transfer the patta in favour of the petitioner pursuant to her application dated 12.06.2018.

3. It is stated that the petitioner has purchased the subject matter property from one Samsutheen, who was the power agent, vide Document No.75/1997 dated 06.02.1997. It is further stated that from the date of purchase, the petitioner is in absolute possession and enjoyment of the subject matter property. It is further stated that the petitioner made online application on 12.06.2018, seeking to modify the entries in the patta passbook No.1174 and transfer the patta in her favour. Now, the grievance of the petitioner is that even though she made the application on 12.06.2018, the respondents have not considered the same. Hence, the present writ petition.

4. Heard both sides.

5. This Court at this stage is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same. Thus, this writ petition is disposed of, only by directing the second respondent to consider the representation of the petitioner dated 12.06.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar(CJ.Conf)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector,
Nagapattinam District,
Nagapattinam.

2. The Thasildar,
Kuthalam Taluk,
Nagapattinam District.

+1cc to Mr.M.Subah, Advocate SR.No.41356

+1cc to Government Pleader SR.No.42016

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SVI (CO)
GMY (24/05/2019)