

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.02.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.31884 of 2018
and
W.M.P.No.37118 of 2018

T.Palanisamy

... Petitioner

Vs

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Regional Deputy Tahsildar,
Pollachi Taluk,
Pollachi, Coimbatore District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent in proceedings in Registrar No.2016/0103/12/026007 dated 29.10.2018 quash the same and consequently direct the 2nd respondent to issue patta pertaining to the land in S.Nos.114/6A and 114/6C admeasuring 2.45 acres, Nallampalli Village, Pollachi Taluk, Coimbatore District in favour of the petitioner.

For Petitioner : Mr.SP.Yuaraj

For Respondents: Mr.E.Balamurugan,
Special Government Pleader.

O R D E R

The petitioner is aggrieved against the order of the 2nd respondent in refusing to transfer the patta in favour of the petitioner on the reason that the seller name is not found in Chitta. In the very same order, the 2nd respondent also directed the petitioner to rectify the mistake and represent the application.

2. It appears that the petitioner obtained the transfer of patta after purchasing the same from third party. It is contended by the learned counsel for the petitioner that had an opportunity of hearing is given to the petitioner before passing the impugned order, he would have presented all the material documents before the 2nd respondent for effecting the transfer of patta. Thus, it is stated that one more opportunity may be given to place the materials before the 2nd respondent.

3. Considering the above stated facts and circumstances and without expressing any view on the merits of the claim made by the petitioner in transfer of patta, this Writ Petition is disposed of by directing the 2nd respondent to consider the application of the petitioner for transfer of patta and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. The petitioner is also directed to produce all the material documents before the 2nd respondent, so as to enable him to pass appropriate orders on merits and in accordance with law. The 2nd respondent shall pass such order, after conducting an enquiry and giving an opportunity of hearing to the petitioner and other interested persons, if any. Such exercise shall be done by the 2nd respondent, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsi

To

- 1.The District Collector,
Coimbatore District,
Coimbatore.
- 2.The Regional Deputy Tahsildar,
Pollachi Taluk,
Pollachi, Coimbatore District.

+1cc to Mr.SP.Yuvaraj, Advocate, S.R.No.9692
+1cc to the Government Pleader, S.R.No.10214

सत्यमेव जयते

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PVS (CO)

rrs 05/03/2018

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