



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.2825 of 2019

Balanatesan

... Petitioner

Vs.

1.The Tahsildar, Peravurani Taluk Office,
Peravurani, Thanjavur District.

2.Charles

3.Thalapathy

... Respondents

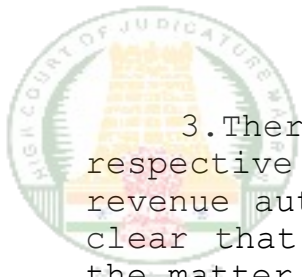
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's application for transfer of patta in Na.ka.No.1976/2012/E2 dated 26.07.2012 within the time stipulated by this Court.

For Petitioner	: Mr.D.R.Murugesan
For R1	: Mr.K.Mu.Muthu, Special Government Pleader
For R2	: Mr.M.P.Senthil
For R3	: Mr.A.Karunanidhi for R3

ORDER

Heard the learned counsel on either side.

2.The petitioner seeks disposal of his application for transfer of patta that is said to be pending since July 2012. When the matter was taken up for hearing, the learned counsel appearing for the private respondents strongly contended that there is a serious civil dispute between the parties. The revenue authority would be justified in passing orders in a case of this nature when there is no rival claim or contest. If there is any rival claim or contest, the revenue authority obviously cannot go into the title issue.



3. Therefore, the parties will have to establish their respective claims only before the competent civil court. The revenue authority obviously cannot sit over the matter. It is made clear that this Court has not pronounced anything on the merits of the matter. All the rights of the parties are left open.

4. This writ petition is closed accordingly. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS)

Skm

To

The Tahsildar,
Peravurani Taluk Office,
Peravurani, Thanjavur District.

+1 CC to M/s.D.R.MURUGESAN, Advocate
(SR-49606[F] dated 26/02/2019)

+1 CC to M/s.M.P.SENTHIL, Advocate
(SR-49603[F] dated 26/02/2019)

+1 CC to M/s.SPL GP (SR-49791[F] dated 26/02/2019)

+1 CC to M/s.B.KARUNANITHI, Advocate
(SR-49968[F] dated 26/02/2019)

WP (MD) No. 2825 of 2019
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ES/08.04.2019/2P/6C