



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.19240 of 2019

and

W.M.P. (MD)No.15636 of 2019

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C.Murugeswari

... Petitioner

vs.

1.The District Collector,
Collector's Office,
Sivagangai.

2.The District Revenue Officer,
Collector's Office,
Sivagangai.

3.The Revenue Divisional Officer,
Sivagangai Revenue Divisional Office,
Sivagangai.

4.The Tahsildar,
Sivagangai Taluk Office,
Sivagangai.

5.The Special Tahsildar,
Town Survey Scheme,
(Town Survey Settlement),
Sivagangai.

6.The Zonal Deputy Tahsildar,
Sivagangai Taluk Office,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the fourth and sixth respondents to consider the petitioner's online Patta Transfer Application dated 07.08.2019 relating to Old Survey No.70A/5 corresponding Patta No.354 comprising New Survey No.70/5E to an extent of 2338 sq.ft land of the petitioner which is situated at Kathattivayal Village, Melavaniyankudi Group, Sivagangai Taluk, Sivagangai District, based on the petitioner's title deeds and issue patta after making the sub division in favour of the petitioner within a time frame as fixed by this Court.



For Petitioner : Mr.M.Venkatesan

For Respondents : Mr.B.Bhagawathi
Government Advocate.

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ORDER

Mr.M.Venkatesan, learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagavathi, learned Government Advocate, accepts notice on behalf of all six respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 09.08.2019 wherein what according to the petitioner is his online application dated 07.08.2019 for patta transfer to be processed.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the fourth respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 09.08.2019 with rectification request, details of which have been alluded to supra.

6. Learned State counsel submitted that the fourth respondent is the authority who shall consider the aforementioned representation dated 09.08.2019 made by the writ petitioner (page No.32 of the typed set of papers forming part of the case file).

7. It is made clear that in the course of the representation being considered by the fourth respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the fourth respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The aforesaid representation dated 09.08.2019 shall be disposed of by the fourth respondent on its own merits and in accordance with law as expeditiously as possible and in any event,



within a period of eight weeks from the date of receipt of a copy of this order.

9.The proceeding / order of disposal shall be communicated by the office of the fourth respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

SSL

To

- 1.The District Collector,
Collector's Office,
Sivagangai.
- 2.The District Revenue Officer,
Collector's Office,
Sivagangai.
- 3.The Revenue Divisional Officer,
Sivagangai Revenue Divisional Office,
Sivagangai.
- 4.The Tahsildar,
Sivagangai Taluk Office,
Sivagangai.
- 5.The Special Tahsildar,
Town Survey Scheme,
(Town Survey Settlement),
Sivagangai.



6.The Zonal Deputy Tahsildar,
Sivagangai Taluk Office,
Sivagangai.

+1 CC to M/s.G.RAJENDRAN, Advocate (SR-85411[F] dated
05/09/2019)

+1 CC to M/s.SPL GP (SR-85630[F] dated 06/09/2019)

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