



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.22713 of 2019

WEB COPY

Regina Begam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Thasildar,
Thiruppathur,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 22.01.2018 and to transfer the patta in favour of the petitioner regarding the property admeasuring 1767 sq.ft comprised in Survey No.232/4A and the property admeasuring 874 sq.ft comprised in Survey No.232/4B1, Thirupathur Taluk, Sivagangai District.

For Petitioner : Mr.A.Senthil Kumar
For Respondents : Mr.M.Pandiarajan,
Government Advocate.

ORDER

Mr.A.Senthil Kumar, learned counsel on record for writ petitioner is before this Court.

2. Mr.M.Pandiarajan, learned Government Advocate, accepts notice on behalf of both 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 22.01.2018 wherein writ petitioner has sought name transfer in patta pursuant to settlement of a property by her mother and brother on her vide registered settlement deed dated 05.02.2016. Writ petitioner undertakes to produce the original settlement deed dated 05.02.2016 before the second respondent for



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 second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 22.01.2018, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 22.01.2018 made by the writ petitioner (page No.17 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 22.01.2018 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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.

9. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)



ps

To

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Thasildar,
Thiruppathur,
Sivagangai District.

+1 CC to M/s.A.SENTHIL KUMAR, Advocate (SR-94517[F] dated
25/10/2019)

+1 CC to M/s.SPL GP (SR-94869[F] dated 30/10/2019)

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