



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.16412 of 2020

P.Jaisankar

... Petitioner

-VS-

1. The District Collector,
District Collector Campus,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Musiri,
Trichy District.
3. The Tahsildar,
Thuraiyur Taluk,
Trichy District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 14.10.2020 seeking transfer of patta to the petitioner is name and his brother Rajendran's name as a joint patta from the name of his father Perumal pertaining to the land in Survey No.859/1A to an extent of 0.02.00 ares of Ponnusangampatti Village, Thuraiyur Taluk, Trichy District within a time frame as fixed by this Court.

For Petitioner : Mr.N.Anandakumar
For Respondents : Mr.M.Pandiya Rajan
Additional Government Pleader

O R D E R

This petition has been filed, seeking issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 14.10.2020 seeking transfer of patta to the petitioner name and his brother Rajendran's name as a joint patta from the name of his father Perumal pertaining to the land in Survey No.859/1A to an extent of 0.02.00 ares of Ponnusangampatti Village, Thuraiyur Taluk, Trichy District within a time frame fixed by this Court.



2.The learned Counsel appearing for the petitioner would submit that the father of the petitioner by name Perumal, S/o.Veerapathira Muthuraja, had purchased a vacant site measuring to an extent of 0.05 Cents on 25.09.1965 from one Gannapathy Muthuraja, S/o.Periya Poovan and constructed a tiled roof house and he has been in possession and enjoyment of the said property from 1965 onwards. In the year 2013, the father of the petitioner had executed a settlement deed in favour of the petitioner and his brother by partitioning the said land measuring to an extent of 0.05 cents as 962 sq. ft. and 893 sq. ft. respectively to the petitioner and his brother and the same was registered vide Document Nos.6054/2013 and 6053/2013 respectively on 12.07.2013. Thereafter, on 09.09.2013, the petitioner's father died. As the patta stands in the name of the petitioner's father, after the demise of the petitioner's father, the petitioner submitted a representation on 14.10.2020 before the respondents seeking transfer of patta in his name and his brother's name but there is no response from them till date.

3.Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 14.10.2020 is disposed of by the third respondent at the earliest.

4.Learned Additional Government Pleader appearing for the respondents would submit that the third respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

5.In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the representation dated 14.10.2020, submitted by the petitioner and to pass appropriate orders thereon in accordance with law, after hearing necessary parties, within a period of 120 days from the date of receipt of a copy of this order, if there is no legal impediment to do so.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



To:

1. The District Collector,
District Collector Campus,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Musiri,
Trichy District.
3. The Tahsildar,
Thuraiyur Taluk,
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+1 CC to SPL GP (SR-22640[F] dated 24/11/2020)

W.P. (MD) No.16412 of 2020
20.11.2020

VB (02.12.2020) 3P 5C