



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.17022 of 2020

R.Subbulakshmi

...Petitioner

-Vs-

1.The District Collector,
District Collect Office,
Madurai District, Madurai.

2.The Tahsildar,
Thirupparankundram Taluka,
Madurai District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondents to transfer patta for the properties in Survey No.428/1 an extent of 2 acres in Patta No.1172 in Thiruparankundram Village, Thiruparankundram Taluk, Madurai District as legal heirs of the petitioner deceased husband by considering her representation dated 03.11.2020 after deducting the lands sold to third party and given to Tiruparankundram 3rd Grade Municipality for road and public purpose, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.K.P.Krishna doss
Special Government Pleader

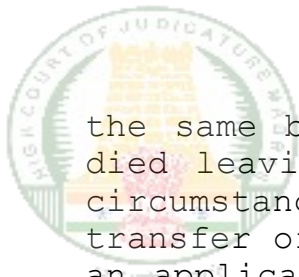
ORDER

This writ petition has been filed to direct the respondents to transfer patta for the properties in Survey No.428/1 an extent of 2 acres in Patta No.1172 in Thiruparankundram Village, Thiruparankundram Taluk, Madurai District as legal heirs of the petitioner deceased husband by considering the representation dated 03.11.2020 after deducting the lands sold to third party and given to Tiruparankundram 3rd Grade Municipality for road and public purpose, within the period stipulated by this Court.

2. Mr.K.P.Krishnadoss, learned Special Government Pleader, accepts notice for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. According to the petitioner, the property in Survey No.428/1 to an extent of 2 acres in patta No.1172 in Thiruparankundram Village, Thiruparankundram Taluk, Madurai District was purchased by the husband of the petitioner. Since the date of purchase, the petitioner is in peaceful possession and enjoyment of



the same by cultivation. While so, the husband of the petitioner died leaving behind the petitioner and his two children. In such circumstances, the petitioner approached the respondents seeking transfer of patta in order to improve the property. She also filed an application before the respondents enclosing all the necessary documents on 03.11.2020. No order has been passed on the said application of the petitioner. Hence, the petitioner is before this Court with the aforesaid prayer.

5.The learned Special Government Pleader appearing for the respondents would submit that the second respondent has communicated a letter dated 26.11.2020. In the said letter, it is stated that the property in question, to which the petitioner now seeks patta, is a water body and hence, the question of granting patta to the petitioner does not arise. He further submitted that the letter has been sent to him as written instructions and he will ask the second respondent to give it as a suitable response to the petitioner.

6. In view of the above submission, the second respondent is directed to furnish the copy of the decision taken to the petitioner. On receiving such decision, the petitioner is directed to approach the appellate authority for further necessary relief, if she is so aggrieved.

7. With the above direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,

District Collect Office, Madurai District, Madurai.

2.The Tahsildar,

Thirupparankundram Taluka, Madurai District.

+1 CC to M/s.SPL GP (SR-23346[F] dated 30/11/2020)

W.P.(MD) No.17022 of 2020

27.11.2020

SS (CO)

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