

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.8609 of 2021

Deepa

... Petitioner

Vs

1.The Revenue Divisional Officer,
Hosur, Krishnagiri District.

2.The Zonal Deputy Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.
PIN : 635 107.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of the petitioner's appeal dated 12.02.2021 for seeking Transfer of Patta in Survey No.73/2 situate at Karandapalli Village, Denkanikottai Taluk, Krishnagiri District in accordance with law and within a stipulated period.

For petitioner

... Mr.K.Govi Ganesan

For respondents

सत्यमेव जयते ... Mrs.K.Bhuvaneswari, AGP

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to consider the petitioner's Appeal dated 12.02.2021.

2. The grievance of the petitioner is that the lands measuring 2.13 acres in S.F.No.73/2 situate at karandapalli Village, Denkanikottai Taluk, originally belongs to one Gopanna and after his death, his son Koppaiah succeeded the same. After the demise of the said Koppaiah, his wife Thimmakka @ Thimmiamma, his son, namely, Thimmayya and daughter, namely

Nanjamma succeeded the said lands. Subsequently, the said thimmakka @ Thimmiamma died on 09.05.1978 and Thimmayya, who was a bachelor, died on 10.05.1987 and hence, the said property was legally succeeded by Nanjamma. Out of love and affection, she executed a settlement deed dated 28.08.2018 in favour of her daughter Manjula. In turn, on 13.06.2019, she sold the property to the petitioner for a valid sale consideration vide sale deed registered as Document No.4009/2019 in SRO, Denkanikottai and ever since the date of sale deed, the petitioner is in possession and enjoyment of the same. On 29.09.2020, the petitioner has applied for transfer of patta in his name and the same was rejected by the 2nd respondent without any enquiry whatsoever on the very same date. Hence, on 12.02.2021, the petitioner has filed an appeal before the first respondent. But, not action has been taken so far. Hence, the present writ petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

4. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the petitioner's appeal, dated 12.02.2021 is pending with the first respondent/Revenue Divisional Officer, Hosur, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation dated 12.02.2021 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as other affected parties, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The Revenue Divisional Officer,
Hosur, Krishnagiri District.

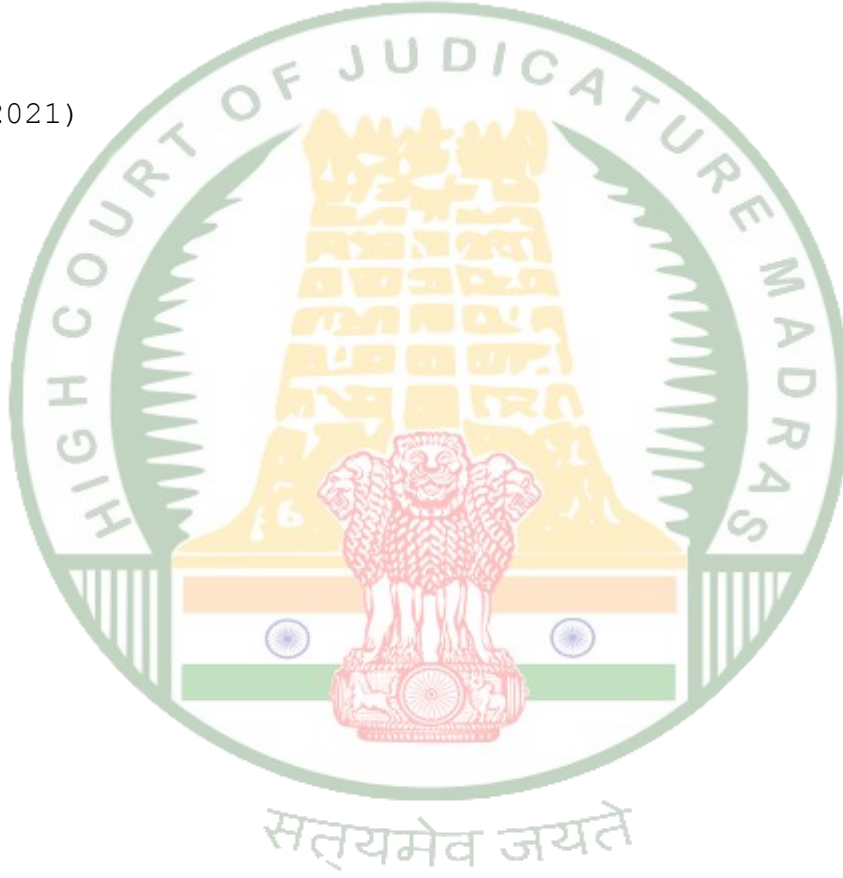
2.The Zonal Deputy Tahsildar,
Denkanikottai Taluk,
Krishnagiri District.
PIN : 635 107.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.22045

+1cc to the Government Pleader, S.R.No.22204

W.P. No.8609 of 2021

PCH(CO)
KM(26/04/2021)



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