

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.7634 of 2021

G.Ramalingam
S/o. Late Govindasamy

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Kallakurichi District.

2.The Sub Collector,
District Collector Office,
Kallakurichi District.

3.The Revenue Tahsildar,
Kallakurichi Revenue Tahsildar Office,
Kallakurichi Taluk,
Kallakurichi District.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first to third respondents to consider and pass orders on petitioner's representation dated 08.02.2021 for transfer the patta to and in favour of the petitioner for the land in Survey No.88/5 to an extent of 0.58 cents and Survey No.37/16 to an extent of 00.26 cents totally 0.84 cents situated at Chinnamampattu Village, Kallakurichi Taluk, Kallakurichi District within a time frame.

For Petitioner : Mr.Selvam for K.Kumar

For Respondents: Ms.Reehana Begum
Government Advocate

ORDER

This writ petition is filed for issuing a Writ of Mandamus, directing the first to third respondents to consider and pass orders on petitioner's representation dated 08.02.2021 for transfer the patta and in favour of the petitioner for the land in Survey No.88/5 to an extent of 0.58 cents and Survey No.37/16

to an extent of 00.26 cents totally 0.84 cents situated at Chinnamampattu Village, Kallakurichi Taluk, Kallakurichi District.

2.Ms.Reehana Begum, learned Government Advocate takes notice for respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

3.In the affidavit filed in support of the writ petition, it is stated that the petitioner's mother namely One Pachaiyammal has purchased the properties in Survey No.88/5 to an extent of 0.58 cents and Survey No.37/16 to an extent of 00.26 cents totally 0.84 cents situated at Chinnamampattu Village, Kallakurichi Taluk, Kallakurichi District from one Nagamuthu and his minor sons vide sale deed document No.1193/1984. It is further stated that the petitioner along with other persons have filed a suit in O.S.No.559 of 1984 for seeking permanent injunction. The suit was decreed against the defendants therein. The petitioner now seeks transfer of patta in favour of him, due to which the petitioner gave a representation before the respondents. The representation has not yet been considered by the respondents. Hence, the present writ petition is filed.

4.The petitioner has not produced any other revenue records to show that the petitioner's mother's name was registered as land owner in the revenue records.

5.Having regard to the limited scope of the petition, this Court, without expressing any opinion on the merits of the petitioner's representation, directs the third respondent to consider the representation submitted by the petitioner dated 08.02.2021 and dispose of the same in accordance with law, after giving opportunity to the petitioner and to any other interested persons. This exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No Costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tta

Copy to

1.The District Collector,
District Collector Office,
Kallakurichi District.

2.The Sub Collector,
District Collector Office,
Kallakurichi District.

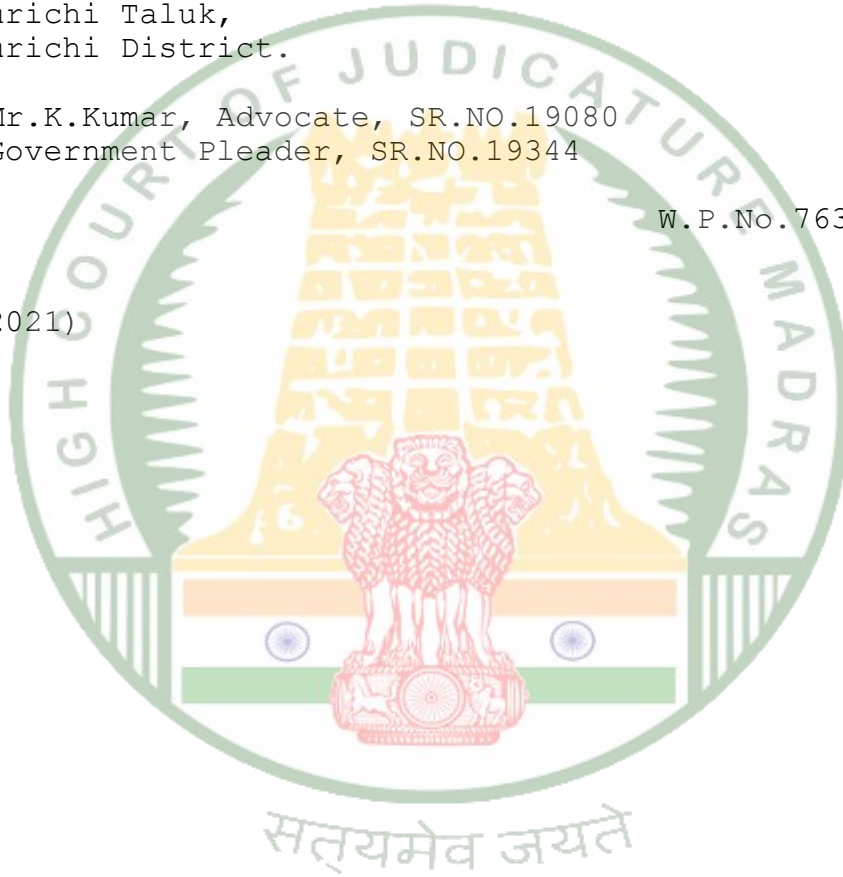
3.The Revenue Tahsildar,
Kallakurichi Revenue Tahsildar Office,
Kallakurichi Taluk,
Kallakurichi District.

+1 cc to Mr.K.Kumar, Advocate, SR.NO.19080

+1 cc to Government Pleader, SR.NO.19344

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PCH(CO)
NS(04/05/2021)



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