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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2021

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.7949 of 2019

[Video Conferencing]

Amma Educational Trust,
By its Chairman,
Mr.M.Mohamed Iqbal,
No.26/2B, 1st Floor,
Poonthamalli Street,
Villupuram.

..Petitioner

Versus

1. The District Collector,
Villupuram.
2. The Revenue Divisional Officer,
Villupuram.
3. The Tahsildar,
Vikravandi Taluk,
Villupuram District.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus, praying to call for the records of the 2nd respondent in his proceedings in Moo.Mu.(A3)/5495/2018, dated 05.12.2018 and the proceedings of 3rd respondent in Na.Ka.A3/5921/2018, dated 27.12.2018 and quash the same and thereby direct the 2nd and 3rd respondents to transfer the patta in S.Nos.332/1A1 and S.No.333/1A1 in patta No.1327 (old patta NO.1056) situate at V.Sathanur Village, Vikravandi Taluk, Villupuram District in favour of the petitioner.

For Petitioners : Mr.N.Suresh

For Respondents : M/s.K.M.D.Muhilan
Government Advocate
for R1 to R3



ORDER

The writ petition has been filed seeking to issue a writ of Certiorarified Mandamus, praying to call for the records of the 2nd respondent in his proceedings in Moo.Mu.(A3)/5495/2018, dated 05.12.2018 and the proceedings of 3rd respondent in Na.Ka.A3/5921/2018, dated 27.12.2018 and quash the same and thereby direct the 2nd and 3rd respondents to transfer the patta in S.Nos.332/1A1 and S.No.333/1A1 in patta No.1327 (old patta No.1056) situate at V.Sathanur Village, Vikravandi Taluk, Villupuram District in favour of the petitioner.

2. The writ petitioner is Amma Educational Trust and represented by Chairman viz., M.Mohamed Iqbal, S/o.K.A.Haji Mohamed Ali. Originally, the father of K.A.Mohamed Ali was the Chairman of the Trust and they were also other members. After reconstitution of the Trust, Mr.M.Mohamed Iqbal was elected as a Chairman of the petitioner/Amma Educational Trust. Thereafter, he made necessary application with respect to the properties of the Trust, particularly in S.Nos.332/1A1 and 333/1A1 in patta No.1327 (old patta No.1056) situated at V.Sathanur Village, Vikravandi Taluk, Villupuram District in his name, M.Mohamed Iqbal, as Chairman Amma Educational Trust.

3. The order of the second respondent dated 05.12.2018 is in respect of the patta of the said order. The facts as stated by the second respondent is that the patta has been transferred in the name of the K.A.Mohamed Ali, who is the father of the present chairman/petitioner, who is representing Amma Educational Trust as Chairman. This effectively means that there is an inadvertent error in the order and the order is referred back to the same official, namely, The Revenue Divisional Officer to re-examine the records and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

4. Needless to point out, the consequential order dated 27.12.2018 passed by the 3rd respondent/The Tahsildar, Vikravandi Taluk, Villupuram District, is also set aside.

5. I am confident that the said procedure would be completed within a period of four weeks from the date of receipt of a copy of this order. No further orders are required to be issued to the respondents 2 and 3.



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6. Accordingly, this writ petition is allowed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram.
2. The Revenue Divisional Officer,
Villupuram.
3. The Tahsildar,
Vikravandi Taluk,
Villupuram District.

WP.No.7949 of 2019

JPL (CO)
K.RK. (02.09.2021)