



IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated: 29..06..2021

CORAM

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN
Writ Petition No.11084 of 2021

K.Venkatesan

... Petitioner

-Versus-

- 1.The District Collector,
Office of the District Collector,
Kelly's Road, Navalpur,
Ranipet, Ranipet District.
Pin Code - 632 401.
- 2.The Revenue Divisional Officer,
Kelly's Road, Navalpur,
Ranipet, Ranipet District.
Pine Code - 632 401.
- 3.The Tahsildar,
Arakonam Taluk,
Arakonam, Ranipet District,
Tamil Nadu,
Pin Code - 631001.
- 4.The Village Administrative Officer,
Ichiputhur Revenue Village,
Arakonam Taluk,
Ichiputhur Post,
Ranipet District
Pin Code - 631003.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd Respondent namely, the Tahsildar Arakkonam Taluk, Ranipet District, to consider and pass orders on the online Application No.2020/0103/37/174120 and CAN No.0330110088850 dated 19.02.2020 for name transfer of patta in favour of the Petitioner for the lands comprised in Survey Nos.166/2A, 166/2B and 166/2C situated at Echiputhur village, Arakkonam, Taluk Ranipet District, consequently direct the 3rd and 4th respondents to pay damages as fixed by this court towards the loss of agriculture income of the petitioner because of not mutating the name in patta in favour of the petitioner.

For Petitioner : Mr.R.M.Jayabalan

For Respondent(s) : Mr.K.M.D.Muhilan,
Government Advocate
for RR1 to 4



ORDER

[This matter has been heard through video conference]

WEB COPY This writ petition has been filed seeking a direction to the 3rd respondent to consider the application of the petitioner dated 19.02.2020 made through online vide No.2020/0103/37/174120 and CAN No.0330110088850 for transfer of patta in his name in respect of lands comprised in Survey Nos. 166/2A, 166/2B and 166/2C situated at Echiputhur Village, Arakkonam Taluk, Ranipet District and for a consequential direction to the respondents 3 and 4 to pay damages to be ascertained by the court.

2. The case of the petitioner is that, earlier, he had entered into an agreement of sale with Ambika in respect of land comprised in S.No.166/2 measuring an extent of 3 Acres and 3 cents at Ichiputhur Village, Arakkonam Taluk, Ranipet District. The said Ambika had refused to execute the sale deed and to fulfill her contractual obligations. Hence, the petitioner filed a suit in O.S.No.15 of 2006 on the file of the District Munsif, Sholinghur, Vellore District and obtained a decree on 20.12.2011 for specific performance of agreement of sale. Even after the decree, the said Ambika had not executed sale deed. Hence, the petitioner initiated execution proceedings in E.P.No.43 of 2012 and pursuant to the order of the executing court, he got the sale deed executed through court and possession was also handed over to him on 11.12.2013. Thereafter, according to the petitioner, he has been in possession and enjoyment of the property in question. While so, he made an application to the 3rd respondent seeking transfer of patta in his name. The grievance of the petitioner is that his application has not been considered by the 3rd respondent till date. Hence, the present writ petition.

3. Heard both sides and also perused the records carefullyl.

4. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the 3rd respondent to consider the request of the petitioner for patta transfer in his name.

5. Considering the limited nature of the relief sought for in the writ petition and the submission made by the learned counsel for the petitioner, this court, without going into the merits of the claim of the petitioner, directs the 3rd respondent to consider the online application of the petitioner dated 19.02.2020 and pass suitable orders thereof after hearing the petitioner on merits and in accordance within a period of twelve weeks from the date of receipt of a copy of this order.



This writ petition is disposed of accordingly with the above directions. No costs.

Sd/-
Assistant Registrar(CS IV)

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//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Collector, Office of the District Collector,
Kelly's Road,
Navalpur, Ranipet, Ranipet District. Pine Code - 632 401.

2.The Revenue Divisional Officer, Kelly's Road, Navalpur,
Ranipet, Ranipet
District, Pin Code - 632 401.

3.The Tahsildar, Arakonam Taluk, Arakonam, Ranipet District,
Tamil Nadu, Pin Code - 631001.

4.The Village Administrative Officer, Ichiputhur Revenue
Village,
Arakonam Taluk, Ichiputhur Post, Ranipet District, Pin
Code - 631003.

+1cc to Mr.R.M.Jayabalan, Advocate SR.No.30014

Writ Petition No.11084 of 2021

PL(CO)
B.VC(19.07.2021)