



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

WEB COPY

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.19442 of 2021

T.Kaliyaperumal

... Petitioner

-Vs-

1.The District Collector,
Perambalur District,
Perambalur.

2.The Revenue Divisional Officer,
Perambalur District,
Perambalur.

3.The Tashildar,
Veppanthattai Taluk Office,
Veppanthattai,
Perambalur District.

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the 1st respondent to take necessary action to transfer of Patta in the name of the petitioner's father Thangarasu to the petitioner's name in Patta No.447, bearing Survey No.394/1, measuring about 3 cents, situated at No.435, Angalamman Koil Street, Eranjankudi, Devaiyur Village, Veppanthattai Taluk, Perambalur District, by considering the representation of the petitioner dated 07.08.2021 on the file of the respondents herein in accordance with law to secure the ends of justice and pass orders accordingly.

For Petitioner

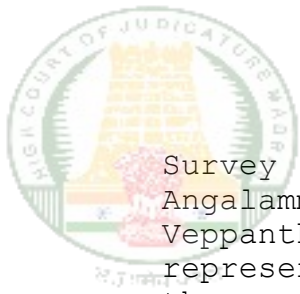
:: Mr.R.Srinivasa Rao

For Respondents

:: Mr.Yogesh Kannadasan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the 1st respondent to take necessary action to transfer of Patta in the name of the petitioner's father Thangarasu to the petitioner's name in Patta No.447, bearing



Survey No.394/1, measuring about 3 cents, situated at No.435, Angalamman Koil Street, Eranjankudi, Devaiyur Village, Veppanthattai Taluk, Perambalur District, by considering the representation of the petitioner dated 07.08.2021 on the file of the respondents herein in accordance with law to secure the ends of justice and pass orders accordingly.

2. The learned counsel for the petitioner would submit that the father of the petitioner namely Mr. Thangarasu having a Nathan house site, bearing Survey No.394/1 bearing Patta No.447, measuring about three cents, constructed the building there and lived in the above said property. After the demise of the petitioner's father in the year 2007, the petitioner is in possession and enjoyment of the above said house site for the past 15 years having paid necessary tax on the property like house tax and electricity connection in the above said house. While being so, the petitioner has submitted a representation dated 07.08.2021 to the Respondents to transfer the patta bearing No.447 in the name of his father Thangarasu to his name, but of no avail.

3. It has been further submitted that even after submitting the representation dated 07.08.2021, the respondents have neither considered the representation nor passed any order in this regard. Hence, the petitioner is left no other alternative remedy except to approach this Court by invoking its jurisdiction under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to take necessary action to transfer of Patta in the name of the petitioner's father Thangarasu to the petitioner's name in Patta No.447, bearing Survey No.394/1, measuring about 3 cents, situated at No.435, Angalamman Koil Street, Eranjankudi, Devaiyur Village, Veppanthattai Taluk, Perambalur District, by considering the representation of the petitioner dated 07.08.2021 on the file of the respondents herein in accordance with law to secure the ends of justice.

4. The learned Government Advocate appearing for the respondents would submit that the petitioner has submitted his representation only on 07.08.2021 before the respondents. The representation of the petitioner will be considered according to the seniority.

5. Heard, the learned counsel for the petitioner and the learned Government Advocate for the respondents as well as perused the materials available on record.

6. Having considered the facts and circumstances of the case and submissions made by the learned Government Advocate, the petitioner is directed to produce the relevant documents of



the property as well as the legal heir certificate as the petitioner is said to be son of one Thangarasu and after receipt of the aforesaid relevant documents, the 1st respondent shall take appropriate action on the representation filed by the petitioner herein in accordance with law, if it is otherwise in order.

7. With the aforesaid directions, the Writ petition stands disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Lbm
To:

- 1.The District Collector,
Perambalur District,
Perambalur.
- 2.The Revenue Divisional Officer,
Perambalur District,
Perambalur.
- 3.The Tashildar,
Veppanthattai Taluk Office,
Veppanthattai,
Perambalur District.

+1cc to the Government Pleader Sr.47177

W.P. No.19442 of 2021

pch[co]
srg 12/10/2021