



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

WEB COPY

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.25734 of 2021

Thamarai Selvi

...Petitioner

Vs

1.The District Collector,
Perambalur District,
Perambalur

2.The District Revenue Officer,
Madharasa Road,
Super Nagar,
Perambalur 621 212

3.The Tahsildar,
Perambalur Town,
Taluk Office,
Athur Main Road,
Perambalur 621 212

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 and transfer the patta to the petitioner's name based on the petitioner's representation dated 04.10.2021.

For Petitioner : Mr.D.Ashok Kumar

For Respondents : Mr.P.Baladhandayutham,
Special Government Pleader

ORDER

This writ petition is filed for direction directing the respondents 1 to 3 to transfer the patta to the petitioner's name based on the petitioner's representation dated 04.10.2021.

2. Heard, Mr.D.Ashok Kumar, the learned counsel for the petitioner, and Mr.P.Baladhandayutham, Special Government Pleader appearing for the respondents.



3. The father of the petitioner owned property to an extent of 0.70.50 ares in survey No.424/2 (old survey No.930/2 situated at Ladapuram (East) Village, Perambalur. Originally the said land was assigned in favour of his father for his employment. His father died on 30.08.2001 and his mother also died on 19.09.2007 leaving behind the petitioner and his sister as their legal heirs. However, some third parties created forged document of partition dated 25.05.1999 registered vide document No.1868 of 1999. Therefore, the petitioner lodged complaint before the District Registrar, Perambalur to cancel the forged document registered in favour of the third parties. The District Registrar conducted enquiry on 30.09.2021 and directed the petitioner to produce original documents. In the meanwhile, the petitioner made representation before the third respondent for transfer of patta in favour of the legal heirs of the deceased father, Arunachalam. The third respondent conducted enquiry and passed order on 01.10.2021 to transfer patta in the name of the legal heirs of the deceased Arunachalam. In pursuant to the same, no patta has been issued and as such the petitioner made representation before the third respondent to issue patta and also to declare that the subject property is Adidravida condition property. However, the partition deed executed by the third parties in respect of the very same property registered vide document No.1868 of 1999 dated 25.05.1999 is under the challenge before the District Registrar, Ariyalur by the petitioner.

4. In view of the above, the third respondent is directed to consider the request of the petitioner subject to the result of the complaint lodged by the petitioner pending on the file of the District Registrar, Ariyalur.

5. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Lok

To

1.The District Collector,
Perambalur District,
Perambalur



2.The District Revenue Officer,
Madharasa Road,
Super Nagar,
Perambalur 621 212

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3.The Tahsildar,
Perambalur Town,
Taluk Office,
Athur Main Road,
Perambalur 621 212

+1cc to Government Pleader, SR.No.64394

WP.No.25734 of 2021

PL (CO)
GN (27/12/2021)