



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8813 of 2021

N.Muruganantham

... Petitioner

Vs.

1.The Joint Sub-Registrar - I,
Palani,
Dindigul District.

(The name of the first respondent is deleted by order of this Court,
dated 29.04.2021.)

2.The Tahsildar,
Palani Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 2nd respondent to issue patta to the petitioner in respect of the property in T.S.No.1021/1B, situated at Ward No.3, Block No.28, Palani Town, Dindigul District, to the extent of 17609 square feet on the basis of the Will, dated 07.11.1997, which was executed by the father of the petitioner by considering the petitioner's representation, dated 10.04.2021.

For Petitioner : Mrs.J.Balameenakshi

For Respondents : Mr.P.Mahendran for R2
Additional Government Pleader

ORDER

The first respondent is not a necessary party in this writ petition and hence, deleted.

2.This writ petition has been filed for the issuance of writ of Mandamus, directing the respondents to consider the representation made by the petitioner, on 10.04.2021, wherein, the petitioner has sought for the issuance of patta in his name with respect to the subject property.

3.The case of the petitioner is that the subject property originally belonged to his father and his father by virtue of a



Will, dated 07.11.1997 bequeathed the property in favour of the petitioner. Subsequently, the father of the petitioner died on 20.11.1998. According to the petitioner, even the Legal Heirship Certificate issued by the appropriate Authority shows the name of the petitioner as the only legal heir.

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4.The petitioner, who is claiming to be in possession and enjoyment of the subject property, made a representation before the second respondent, seeking for transfer of patta in his name. Since the same was not acted upon, the present writ petition has been filed before this Court, seeking for appropriate directions.

5.Heard Mrs.J.Balameenakshi, learned counsel for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader for the second respondent.

6.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner, on 10.04.2021, on its own merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

7.The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and a copy of this order.

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

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

1.The Joint Sub-Registrar - I,
Palani,
Dindigul District.

2.The Tahsildar,
Palani Taluk,
Dindigul District.

+1 CC to Mr. Special Government Pleader, SR.No. 18383

W.P.(MD).No.8813 of 2021

29.04.2021

sss(CO)

TR(08.07.2021) 3P 4C