



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.10038 of 2021

Naziruddin

... Petitioner

vs.

1.The District Collector,
Tiruchirappalli District,
Trichy (Town).

2.The Revenue Divisional Officer,
Thottiyam Revenue Division,
Trichy District.

3.The Tahsildar,
Thottiyam Taluk,
Thottiyam (Town), Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to change the name in the patta as per the legal heir certificate in Pa.Mu.No.Aa1-4648-2019, dated 20.01.2020 by considering the representation, dated 20.10.2020.

For Petitioner :Mr.A.Ananda Raja

For Respondents :Mr.N.Satheesh Kumar

Additional Government Pleader

O R D E R

This Writ Petition has been filed in the nature of Mandamus, seeking a direction against the respondents to change the name in the patta as per the legal heir certificate in Pa.Mu.No.Aa1-4648-2019, dated 20.01.2020 by considering the representation, dated 20.10.2020.

2.Heard Mr.A.Ananda Raja, learned Counsel for the petitioner and N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents.

3.One Mehaboob Bi Ammal was the owner of the property at No.113, Andapuram Road, Kattuputhur, Thottiyam Taluk, Trichy District, having purchased the said property by way of a sale deed, dated 25.01.1966. She died on 15.03.1987 and left behind seven legal heirs, who are grand sons through her daughter. The death certificate had been produced as document along with the Writ Petition. Her Legal heirs had also obtained Legal Heirship Certificate and a copy of the same had also been filed along with the Writ Petition. Their names are reflected in the legal heirship



certificate.

4.The petitioner herein is also one of the legal heirs and his name is also found in the legal heirship certificate. A representation has been given by the petitioner seeking patta to be transferred in the name of all the legal heirs, as reflected in the legal heirship certificate with respect to the property aforementioned. Along with the representation, the petitioner had also mentioned about the Patta No.189, copy of the sale deed, copy of the death certificate and copy of the legal heirship certificate and had enclosed the same as documents. The representation had been addressed to the Tahsildar, Thottiyam Taluk, Trichy. Since no effective steps had been taken by the said official, the present Writ Petition has been filed in the nature of Mandamus seeking necessary direction in that regard.

5.The petitioner may file a fresh application online seeking grant of patta and also pay necessary charges, as is required and thereafter, on receipt of such online application, an obligation is placed on the third respondent/Tahsildar, Thottiyam Taluk, Trichy, to examine the petitioner, issue notices to all the legal heirs, examine the documents relating to holding of their grandmother Mehaboob Bi Ammal and also issue notice to anybody else, who might have objection for grant of patta and thereafter, come to a subjective satisfaction, and issue patta, if it can be granted according to the rules thereof. The entire process may be completed by the third respondent/Tahsildar, within a period of sixteen weeks from the date of receipt of online application submitted by the petitioner herein.

6.With the said observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector,
Tiruchirappalli District,
Trichy (Town).

2.The Revenue Divisional Officer,
Thottiyam Revenue Division,

<https://hcservices.hcscourt.gov.in/hcservices>



3.The Tahsildar,
Thottiyam Taluk,
Thottiyam (Town), Trichy District.

+1 CC to M/s.SPL GP (SR-35658[F] dated 24/11/2021)

W.P. (MD) No.10038 of 2021
23.11.2021

PS (CO)
KB(04.12.2021) 3P 5C