



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10968 of 2021

Ponnalagu

...Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Sivagangai District.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

3. The Tahsildar,
Singapunari Taluk Office,
Sivagangai District.

4. Shanmuganathan

5. Vijayaprabhu

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second and third respondents herein to transfer the patta in respect of the properties comprised in S.Nos.179/56, 181/59 and 181/90, situated at Vengaipatti Village, Singampunari Taluk, Sivagangai, into the petitioner's name on the basis of proceedings, issued by the third respondent in Na.Ka.A3/4113/2019, dated 29.10.2019, within the time prescribed by this Court.

For Petitioner : Mr.B.Jameel Arasu

For R-1 to R-3 : Mr.M.Lingadurai,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second and third respondents to transfer the patta in the name of the petitioner in proceedings in Na.Ka.A3/4113/2019, dated 29.10.2019, within the time limit fixed by this Court.



2. The case of the petitioner is that the subject property was originally owned by her mother. Subsequently, she died on 05.12.2015, leaving behind the petitioner as legal heir. The petitioner made an application before the second and third respondents seeking for transfer of patta in her name with respect to the subject property. According to the petitioner, the same was taken on file by the third respondent in proceedings in Na.Ka.A3/4113/2019, dated 29.10.2019.

3. The grievance of the petitioner is that no enquiry has been conducted till date and left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.B.Jameel Arasu, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 to 3.

5. 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 third respondent to conduct an enquiry in Na.Ka.A3/4113/2019, dated 29.10.2019, after affording opportunity to the petitioner and the respondents 4 and 5 and deal with the same on its own merits and in accordance with law and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

7. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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.

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



To

1. The District Collector,
Office of the District Collector,
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2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai.

3. The Tahsildar,
Singapunari Taluk Office,
Sivagangai District.

+1 CC to SPL GP (SR-21178[F] dated 05/07/2021)

Order made in
W.P. (MD) .No.10968 of 2021
Dated:
02.07.2021

KM(09.07.2021) 3P 5C