



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.10999 of 2021

(Through Video Conferencing)

G.Muthamilselvi

... Petitioner

Vs.

1.The District Collector
Thanjavur.

2.The Zonal Deputy Tahsildar,
Papanasam Taluk
Thanjavur

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the application No.2020/0103/21/239980 dated 05.11.2020 with regard to the transfer of the existing patta No.125 in the petitioner's name.

For Petitioner

:Mr.T.A.Punithan

For Respondents

:Mr.M.Lingadurai

Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the application submitted by the petitioner in application No.2020/0103/21/239980 dated 05.11.2020 and transfer the patta in the name of the petitioner.

2. The case of the petitioner is that the subject property originally belonged to her husband. He died on 09.01.2020 due to ill-health leaving behind the petitioner as the sole surviving legal heir. It is also seen from the records that the patta stood in the name of the husband of the petitioner in Patta No.125.



3. The petitioner made an application before the second respondent seeking for the transfer of patta in her name. Since the same was not acted upon, a representation was also made to the first respondent and the first respondent directed the second respondent to act upon the application and pass orders within 45 days. Since the same has not been considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

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 second respondent to consider the application submitted by the petitioner on 05.11.2020 and deal with the same on its own merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

6. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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.



W.P.(MD)No.10999 of 2021

To

1.The District Collector
Thanjavur.

WEB COPY

2.The Zonal Deputy Tahsildar,
Papanasam Taluk
Thanjavur

+1 cc to Special Government Pleader SR 21514

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