



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.19243 of 2021

G.Mariappan

... Petitioner

Vs.

1.The District Collector,
The Collectorate,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

... Respondents

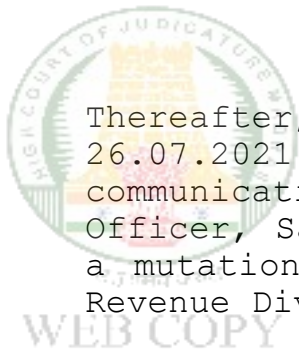
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the third respondent to transfer the patta in favour of the petitioner's name as per the second respondent's proceeding in O.Mu.A2/3039/2021, dated 06.08.2021 for the properties situated in Survey Nos.739/1A1, 739/1A2, 739/1B, 739/1C, 739/2A, 739/2B, 739/2C, 739/2D, 739/2E, 392/B, 740/3, 740/4, 406/1, 406/2, 406/3 and 406/4 within a time frame as fixed by this Court.

For Petitioner : Mr.A.Rajaram
For Respondents : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks the mutation of patta in his favour as per the second respondent's proceeding dated 06.08.2021.

2. The petitioner claims title to the properties in multiple survey numbers pursuant to a settlement in his favour by his father in the year 2008. Upon approaching this Court by filing W.P(MD).No.24196 of 2017, it is stated that an order dated 03.01.2018 was passed by which the third respondent was directed to consider the petitioner's representation dated 11.12.2017.



Thereafter, the petitioner submitted a further representation dated 26.07.2021 to the respondents herein. In response thereto, a communication dated 06.08.2021 was issued by the Revenue Divisional Officer, Sankarankovil. The present Writ Petition is filed seeking a mutation of the patta on the basis of the communication of the Revenue Divisional officer.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice for all the respondents. On written instructions, he submits that the earlier representation of the petitioner dated 11.12.2017 was rejected by communication dated 16.04.2019 of the Tahsildar in view of the fact that the patta had been issued to third parties and the petitioner was not in possession of the relevant property.

4. The petitioner states that he has not received the communication dated 16.04.2019. Therefore, the respondents are directed to serve another copy thereof on the petitioner. Upon receipt thereof, it will be open to the petitioner to assail the said order in accordance with law.

5. Accordingly, W.P(MD).No.19243 of 2021 is disposed of on the above terms without any order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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 District Collector,
The Collectorate,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.



3.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

+1 CC to M/s.A.RAJARAM, Advocate (SR-33577[F] dated 02/11/2021)

+1 CC to M/s.SPL.GP (SR-33666[F] dated 08/11/2021)

W.P (MD) No.19243 of 2021

01.11.2021

MGJ/PM(17.11.2021) 3P 6C