



WEB COPY

W.P.(MD).No.19792 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.19792 of 2021

and

W.M.P. (MD) .No.16478 of 2021

K.Sekar

... Petitioner

Vs.

1.The District Revenue Officer,
Pudukottai,
Pudukottai District.

2.The Tahsildar,
Karambakudi,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Nee.Mu.4696/2018 passed by the first respondent in his proceedings dated 24.08.2021 and quash the same as illegal and further direct the first respondent to transfer the Patta No.344 in S.No.220/4 (0.20.00 ares) situated at Mangottai Village, Karambakudi Taluk, Pudukottai District in favour of the petitioner within the period that may be stipulated by the Court.

For Petitioner : Mr.N.Kamesh

For Respondents : Mr.S.Shanmugavel

Special Government Pleader

ORDER

Learned counsel calls in question an order dated 24.08.2021 passed by the first respondent in Nee.Mu.4696/2018 whereby the first respondent appears to have confirmed the earlier order passed by the second respondent.

2. The entire issue relates to the transfer of patta in the name of the petitioner pursuant to settlement deed executed in favour of the petitioner. As a matter of fact, according to the learned counsel, the settlement deed covers three separate properties. With respect of two of the properties in Survey Nos.46/10C and 46/11, patta had been transferred in accordance with the requisition given by the petitioner. However, with respect to the lands, in Survey No.220/4 measuring 0.20.00 ares in Mangottai Village, Karambakudi Taluk, Pudukottai District, the request has been rejected by both the first and second respondents. As against the order of the first respondent, questioning which the Writ



Petition has been filed, proper approach is to file a civil suit.

3. Mr.S.Shanmugavel, learned Special Government Pleader, takes notice on behalf of the first and second respondents.

4. Learned counsel for the petitioner is apprehensive that the point of limitation shall be put up against the petitioner herein, he approaches the civil Court. The petitioner can take advantage of Section 14 of the Limitation Act with respect to the pendency of the present Writ Petition and also urge any other circumstance which might have accrued to cause delay in filing the civil suit.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, W.M.P. (MD) .No.16478 of 2021 stands closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Nsr/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 Revenue Officer,
Pudukottai,
Pudukottai District.

2.The Tahsildar,
Karambakudi,
Pudukottai District.

+1 CC to M/s.SPL.GP (SR-34089[F] dated 11/11/2021)

W.P. (MD) .No.19792 of 2021

and

W.M.P. (MD) .No.16478 of 2021

09.11.2021

KMV (CO)

RS/PM (19.11.2021) 2P 4C

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