



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2213 of 2022
and
W.M.P.No.2379 of 2022

1.K.Ravi
2.K.Ramesh

... Petitioners

Vs.

The Tahsildar,
Perambalur Taluk,
Perambalur District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider and pass order for granting transfer of patta as per the petitioners' application dated 28.09.2019.

For Petitioners : Mr.K.R.Krishnan
For Respondent : Mr.G.Nanmaran
Special Government Pleader

O R D E R

The petitioner has filed this petition seeking issuance of writ of Mandamus, directing the respondent to consider and pass order for granting transfer of patta as per the petitioners' application dated 28.09.2019.

2. The case of the petitioners is that the petitioners' father, who earned self acquired properties in the village, had died on 25.03.2007 and during his last days, the petitioners' father wrote a registered Will dated 03.09.2001 by dividing the properties as 'A' and 'B' schedule property. As per the Will 'A' schedule property was bequeathed in favour of their elder brother viz., Rajamanickam and 'B' schedule property was bequeathed in the name of the petitioners. Subsequently in respect of 'A' schedule property, as per the Will, patta has been transferred in favour of the petitioners' elder brother and in respect of 'B' schedule property is concerned, the petitioner and his brother have given an application before the respondent dated 28.09.2019, however no enquiry has taken place by the



revenue authorities and inspite of their reminder, the respondent has failed to consider their application dated 28.09.2019 and hence, the petitioners are before this Court by filing this petition.

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3. The learned counsel appearing for the petitioners submitted that inspite of their sincere efforts, the respondent is not conducting the enquiry and pass orders on the application for patta. However, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondent to consider the petitioner's application dated 28.09.2019 and pass orders on the same within a particular time frame fixed by this Court.

4. The learned Special Government Pleader has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's application dated 28.09.2019 for patta, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Sk
To

The Tahsildar,
Perambalur Taluk,
Perambalur District.

+1cc to Mr.K.R.Krishnan, Advocate SR.No.8916
+1cc to the Government Pleader SR.No.9234

W.P.No.2213 of 2022

and

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MT(CO)
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