



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P.No.8810 of 2022

P.Venkateswaran

... Petitioner

Vs.

1.The District Collector,
Namakkal,
Namakkal District.

2.The Zonal Deputy Tahsildar,
Tiruchengode Taluk,
Namakkal District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to transfer the Patta in the name of the petitioner by effecting modification of entries, in respect of the properties covered under the Will dated 12.04.2021 (Doc.No.44/Bk.III/2021), by considering his three application nos. 2022/0103/09/273893, 2022/0103/09/273898 and 2022/0103/09/273901 dated 11.03.2022.

For petitioner

: Mr.N.Manokaran

For Respondents

: Mr.V.Veluchamy
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the the respondents to transfer the Patta in the name of the petitioner by effecting modification of entries, in respect of the properties covered under the Will dated 12.04.2021 (Doc.No.44/Bk.III/2021), by considering his three application nos. 2022/0103/09/273893, 2022/0103/09/273898 and 2022/0103/09/273901 dated 11.03.2022.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.



3. The case of the petitioner is that the disputed property is the petitioner's ancestral property. However, his sisters intentionally to deprive the property of the petitioner filed a Suit in O.S.No.6 of 2021, on the file of the Principal District Judge, Namakkal. Thereafter, during the pendency of the said Suit, the petitioner had made an online application on 11.03.2022 before the second respondent for issuance of Patta in his favour. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondents to consider the petitioner's application dated 11.03.2022 within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's application dated 11.03.2022 was rejected by the second respondent on the ground that a Suit in O.S.No.6 of 2021 is pending in between the petitioner and his sisters.

6. In view of the aforesaid submissions, no further adjudication is necessary in the present writ petition. However, this Court issues direction to the second respondent to furnish the rejection order to the petitioner to enable him to work out his remedy in the manner known to law.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

tri/mn

To

1.The District Collector,
Namakkal,
Namakkal District.

2.The Zonal Deputy Tahsildar,
Tiruchengode Taluk, Namakkal District.

+1 cc to Mr.N.Manokaran, Advocate Sr.NO. 25014

+1 cc to Government Pleader Sr.NO. 25490

W.P.No.8810 of 2022

PL(CO)

A.SK(28/04/2022)