



W.P.No.22046 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.22046 of 2022

Tamilselvi

... Petitioner

Vs.

The Tahsildar,
Alathur Taluk,
Alathur & Post,
Perambalur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the File No.2022/0103/16/176562 dated 08.08.2022, on the file of the respondent and quash the same and consequently direct the respondent to mutate the revenue records and transfer Patta in favour of the petitioner relating to S.F.No.222/6, 222/7, 222/8 and 222/9 of Thondapadi Village, Alathur Taluk, Perambalur District in terms of the Settlement deed dated 17.07.2013.

For Petitioner : Mr.S.Kamadevan

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the file No.2022/0103/16/176562 dated 08.08.2022, on the file of the respondent and quash the same and consequently direct the respondent to mutate the revenue records and transfer Patta in favour of the petitioner relating to S.F.No.222/6, 222/7, 222/8 and 222/9 of Thondapadi Village, Alathur Taluk, Perambalur District in terms of the Settlement deed dated 17.07.2013.

2. The case of the petitioner is that the petitioner's husband had purchased the aforesaid properties, through four registered sale deeds from several persons. Subsequent to the execution of the said deeds, the Pattas were transferred in his name. Further, the petitioner's husband executed a settlement deed, dated 17.07.2013 and the same was registered as Doc.No.1067 of 2013 on the file of Sub-Registrar Joint-II, Ariyalur in favour of the petitioner/his wife. In order to change Patta in her name, the petitioner made application dated 20.10.2021 along with all the relevant documents. However, the said application was rejected on the ground that enquiry is pending on the file of the respondent. The grievance of the petitioner is that without concluding the enquiry, the petitioner's application is rejected stating



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that the aforesaid lands are shown as "Tharisu" in the village 'A' Register and the present impugned order is passed. Challenging the same, the petitioner filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the respondent to complete the enquiry as stated in the impugned order and pass appropriate orders within a stipulated time frame that to be fixed by this Court.

4. On the above contention heard the learned Special Government Pleader who submits that enquiry will be concluded within the time fixed by this Court.

5. In view of the fair stand taken by the learned counsel on either side, this Court without expressing any opinion on the merits of the case and without interfering the order under challenge in this Writ Petition, issues direction to the respondent to conclude the enquiry, as stated in the impugned order, after affording an opportunity of hearing to the petitioner as well as aggrieved person, if any, within a period of six weeks from the date of receipt of a copy of this order.



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6. With the above observations and direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order: Yes/ No
jd

To

The Tahsildar,
Alathur Taluk,
Alathur & Post,
Perambalur District.



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M.DHANDAPANI, J.
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