



WEB COPY



W.P.No.30966 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.30966 of 2022

Farkhondeh Khaleeli

... Petitioner

Vs.

1. The Tahsildar,
Purasaiwalkam Taluk,
3, Raja Muthiah Road, Periyamet,
Chennai 600 003.

2. The Surveyor,
V.O.C.Nagar Town, Purasaiwalkam Taluk,
3, Raja Muthiah Road, Periyamet,
Chennai 600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the application dated 20.09.2022 and representation dated 26.09.2022 on the file of the respondents for patta name transfer in favour of petitioner.

For Petitioner : Mr.Vikram Ramakrishnan

For Respondents : Mr.U.Bharanidharan

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents to consider the application dated 20.09.2022 and representation dated 26.09.2022 on the file of the respondents for patta name transfer in favour of petitioner.



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2. The case of the petitioner is that the property bearing No.96, Old No.70, Armenian Street, Chennai, comprised in Survey No.4904/1, Block No.44, measuring an extent of 10230 sq.ft, was acquired by the petitioner's husband namely, Mr.Afsur Mirza Khaleeli from his father Mr.Mohamed Ameen Khaleeli, by way of oral gift, dated 31.03.1970 in accordance with Muhammadan Law. It is stated that the patta for the aforesaid property stands in the name of the petitioner's husband. The petitioner's husband died on 07.01.2018, leaving behind the petitioner and his children as his legal heirs. After the demise of petitioner's husband, the petitioner made a online application dated 20.09.2022 and representation dated 26.09.2022 before the first respondent, seeking transfer of Patta in the name of the petitioner. Since the said representation and application were not considered by the first respondent, the petitioner had filed the present Writ Petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, this Court vide order dated 21.11.2022 issued direction to the first respondent to consider the petitioner's representation, if it is otherwise in order, on or before 01.12.2022. However, the said representation was not considered by the first respondent. Further, he submitted that it would suffice, if this Court issues a



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direction to the first respondent to consider the petitioner's representation dated 26.09.2022 and pass orders on the same within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents submitted that, the petitioner's representation will be considered and appropriate orders will be passed in the manner known to law.

5. In view of the above, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 26.09.2022 and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

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

01.12.2022

Index : Yes / No
Speaking order: Yes/ No
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M.DHANDAPANI, J.

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