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W.P.No.33042 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.33042 of 2022

R.Ramesh

... Petitioner

Vs

1.The District Collector,
Cuddalore District,
Cuddalore – 607 001.

2.The Tahsildar,
Tittakudi Taluk,
Cuddalore District – 606 106.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioner dated 04.08.2022, pending in file No.Na.Ka.A1/2369/2022, seeking for transfer of patta to his name, in respect of Natham house site in Old Survey No.135/10, New Survey No.220/4, measuring an extent 1225 sq.ft., Punja land measuring an extent of Acre 0.56 cents in Survey No.41/7 and measuring Acre 0.55 cents out of 0.80 cents in Survey No.46/1, in Edaseruvai Village, Tittakudi Taluk, Cuddalore District.

For Petitioner : Mr. A.E.Ravi Chandran

For Respondent : Mr.R.P.Muruganraja
Government Advocate



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ORDER

The prayer sought for herein is for a writ of mandamus directing the 2nd respondent to consider the representation of the petitioner dated 04.08.2022, pending in file No.Na.Ka.A1/2369/2022, seeking for transfer of patta to his name, in respect of Natham house site in Old Survey No.135/10, New Survey No.220/4, measuring an extent 1225 sq.ft., Punja land measuring an extent of Acre 0.56 cents in Survey No.41/7 and measuring Acre 0.55 cents out of 0.80 cents in Survey No.46/1, in Edaseruvai Village, Tittakudi Taluk, Cuddalore District.

2. In respect of properties at Survey No.41/7 and 46/1 at Edaseruvai Village, Tittakudi Taluk, Cuddalore District, it is a claim of the petitioner that it originally belongs to his grandmother and who died in 1991 thereafter since the petitioner is the only legal heir of the deceased grandmother and in that respect legal heir certificate issued by the Tahsildar concerned dated 08.12.2017 also has been produced by the petitioner. Therefore, the petitioner in order to get transfer of patta in the name of the petitioner from his deceased grandmother has given application on 04.08.2022.

3. The said application taken on file by the 2nd respondent/



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Tahsildar who directed the Revenue Inspector to conduct an enquiry and send a report but thereafter nothing was forthcoming and no orders have been passed so far, therefore the petitioner is before this Court.

4. Heard Mr.A.E.Ravi Chandran, learned counsel appearing for the petitioner and R.P.Muruganraja, learned Government Advocate for the respondents.

5. The learned Government Advocate for the respondents would submit that, the said application submitted by the petitioner for change of patta would be considered on merits and decided by the 2nd respondent within a time frame that may be stipulated by this Court.

6. Considering the said submission made by the learned Government Advocate for the respondents and having regard to the aforestated factual matrix projected by both sides, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 2nd respondent/
Tahsildar to consider the application of the petitioner dated



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04.08.2022 and decide the same on merits and in accordance with law after giving an opportunity of being heard to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

08.12.2022

Index : Yes/No

Speaking Order : Yes/No

Sgl

To

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R.SURESH KUMAR, J.

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