



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.2744 of 2022

S.Meenatchi

... Petitioner

vs.

The Tahsildar,
Eral Taluk, Thoothukudi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to transfer the patta in favour of the petitioner in respect of the properties comprised in S.Nos.175/11, 175/10 and 175/7 stood Natham Patta No.104, situated at Themankulam Village, Eral Taluk, Thoothukudi District on the basis of the petitioner's representation, dated 18.08.2021.

For Petitioner :Mr.T.Indrachithu
For Respondent :Mrs.S.Jeyapriya
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to transfer patta in favour of the petitioner in respect of the properties comprised in S.Nos.175/11, 175/10 and 175/7 bearing Natham Patta No.104, situated at Themankulam Village, Eral Taluk, Thoothukudi District based on the petitioner's representation, dated 18.08.2021, within a time frame to be fixed by this Court.

2.Heard Mr.T.Indrachithu, learned Counsel for the petitioner and Mr.S.Jeyapriya, learned Government Advocate, who takes notice on behalf of the respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner claims that under a Will executed by her father-in-law, she became the absolute owner of the aforementioned property. By representation, dated 18.08.2021 sent to the respondent, she has sought for transfer of patta in her name. Since the representation has not been considered till date, she has filed the present Writ Petition.

4.The relief sought for by the petitioner is an innocuous one. No prejudice would be caused to the respondent and other legal heirs



of the deceased father-in-law of the petitioner, if the representation, dated 18.08.2021 given by the petitioner seeking for transfer of patta in her name, is considered on merits and in accordance with law after hearing all the necessary parties including the petitioner and other legal heirs of the petitioner's father-in-law, by name, Shanmugasundaram. According to the petitioner, her father-in-law, Shanmugasundaram, has one son and three daughters. The petitioner is the daughter-in-law of Shanmugasundaram and wife of Subramaniam, who is the only son of Shanmugasundaram. Before passing final orders, necessarily all the aforementioned parties including any other person, who may interest in the subject property, will have to be heard.

5. Accordingly, this Courts directs the respondent to consider the petitioner's representation, dated 18.08.2021 seeking for transfer of patta in her name in respect of the property comprised in S.Nos.175/11, 175/10 and 175/7 bearing Natham Patta No.104, situated at Themankulam Village, Eral Taluk, Thoothukudi District, and pass final orders on merits and in accordance with law after hearing all the necessary parties including all the legal heirs of the deceased Shanmugasundaram and other parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

The Tahsildar,
Eral Taluk, Thoothukudi District.

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-6045[F] dated 14/02/2022)

+1 CC to M/s.SPL.GP (SR-5712[F] dated 11/02/2022)

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RD(22.02.2022) 2P 4C