



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P. [MD] No. 2989 of 2022

Andichamy

... Petitioner

/Vs./

1.The District Collector,  
Dindigul District,  
Dindigul.

2.The Tahsildar,  
Thasildar Office,  
Natham Taluk,  
Dindigul District.

3.The Zonal Deputy Tahsildar,  
Thasildar Office,  
Natham Taluk,  
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to transfer the patta to the petitioner name in Patta No.886 in Survey No. 3/1C, 3/2A, 38/6A, 38/6D, 52/3B, 52/3f, 52/3J, 52/3N, 9/5B situated at Puthur, Natham Taluk, Dindigul District by the way of considering Petitioner's representation dated 24.11.2021.

|                 |   |                                               |
|-----------------|---|-----------------------------------------------|
| For Petitioner  | : | Mr.R.Venkatesan                               |
| For Respondents | : | Mr.M.Lingadurai<br>Special Government Pleader |

### ORDER

This writ petition has been filed seeking for a Mandamus, to direct the second respondent to transfer the patta in favour of the petitioner in respect of the property bearing Patta No.886 in Survey No. 3/1C, 3/2A, 38/6A, 38/6D, 52/3B, 52/3f, 52/3J, 52/3N, 9/5B situated at Puthur, Natham Taluk, Dindigul District, by considering the petitioner's application dated 24.11.2021 and pass orders within the time frame to be fixed by this Court.

2.The case of the petitioner is that the aforementioned property was owned by his father Mr.Maduraiveeran. According to him, his father is missing for the past eleven (11) years and a police complaint has also been given. Now, the petitioner has applied for transfer of patta for the aforementioned property in his name, with the respondent. Since the application has not been considered till date, this writ petition has been filed.



3. Heard Mr.R.Venkatesan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice for all the respondents.

4. No prejudice would be caused to the respondents, if the petitioner's application seeking for transfer of patta for the aforementioned property in his name is considered by the second respondent, on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, including other children of Mr.Maduraiveeran.

5. According to the petitioner, his father, Mr.Maduraiveeran, is missing since the past eleven years and he has also given a police complaint to that effect and therefore, he is entitled for transfer of patta. The contention raised by the petitioner will have to be examined by the second respondent, as and when the transfer of patta application is considered, on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application dated 24.11.2021 seeking for transfer of patta in his name in respect of the property bearing Patta No.886 in Survey No.3/1C, 3/2A, 38/6A, 38/6D, 52/3B, 52/3f, 52/3J, 52/3N, 9/5B situated at Puthur, Natham Taluk, Dindigul District, which is presently standing in the name of Mr.Maduraiveeran and pass orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the other children of Mr.Maduraiveeran and other necessary parties, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,  
Dindigul District,  
Dindigul.

2.The Tahsildar,  
Thasildar Office,  
Natham Taluk,  
Dindigul District.

3.The Zonal Deputy Tahsildar,  
Thasildar Office,  
Natham Taluk,  
Dindigul District.

+1 CC to M/s.SPL GP ( SR-6817[F] dated 17/02/2022 )

+1 CC to M/s.R.VENKATESAN, Advocate ( SR-6868[F] dated 17/02/2022 )

**W.P. [MD]No.2989 of 2022**

**16.02.2022**

AP(26.02.2022) 3P 6C