



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3823 of 2022

U.Rahima Kani

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

2. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, or order or direction in the nature of a writ, directing the respondents to consider the application of the petitioner dated 20.12.21 and pass appropriate orders for transfer of Patta of the property in S.No.75/3, Vendhoni Village, Paramakudi Taluk, Ramanathapuram District in the name of the petitioner.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the application of the petitioner dated 20.12.2021 and pass orders for transfer of Patta of the property in S.No.75/3, Vendhoni Village, Paramakudi Taluk, Ramanathapuram District in the name of the petitioner within a time frame to be fixed by this Court.

2.It is the case of the petitioner that she became the absolute owner of the aforementioned property subsequent to the death of her husband who had executed a Will in her favour. Earlier, the patta was standing in the name of the vendors of the petitioner's husband. She seeks for transfer of patta in her name and she submitted an application on 20.12.2021 with the second respondent for the same. Since the said application has not been considered till date, she has filed this writ petition.



3.Heard Mr.G.Prabhu Rajadurai, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.The petitioner has filed the patta standing in the name of the vendors of the petitioner's husband. The petitioner's husband is dead. The petitioner claims that subsequent to the death of her husband who had executed a Will in her favour she is now the absolute owner of the property.

5.No prejudice would be caused to the respondents if the petitioner's application dated 20.12.2021 is considered on merits and in accordance with law after affording an opportunity of hearing to the petitioner and other rival claimants, if any.

6.Accordingly, this Court directs the second respondent to consider the petitioner's application dated 20.12.2021 seeking for transfer of patta in her name in respect of the property in S.No.75/3, Vendhoni Village, Paramakudi Taluk, Ramanathapuram District and pass final orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair opportunity of hearing to the petitioner and other rival claimants, if any.

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

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.



2. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District

WEB COPY

+1 CC to M/s.SPL GP (SR-9750[F] dated 03/03/2022)

ORDER MADE IN
W.P. [MD]No.3823 of 2022
02.03.2022

SB(CO)
TR(18.03.2022) 3P 4C