



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.4082 of 2022

S.Girija

... Petitioner

/Vs./

The Zonal Deputy Tahsildar,
Taluk Office,
Melur,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue Transfer of Patta No.2212 in S.F.No.246/5B1, to the extent of 2 Acres 5 cents, situated at Attappatti Village, Melur Taluk, Madurai District, in the name of the petitioner.

For Petitioner	: Mr.V.Karuna
For Respondent	: Mr.T.Amjad Khan Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue transfer of Patta No.2212 in S.F.No.246/5B1, to the extent of 2 Acres 5 cents, situated at Attappatti Village, Melur Taluk, Madurai District, in the name of the petitioner, based on the petitioner's application dated 15.12.2021, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that she is the absolute owner of the aforementioned property, having purchased the same under a sale deed dated 05.08.2021. She has submitted an online application for transfer of patta in her name on 15.12.2021. Since the said application has not been considered till date, she has filed this writ petition.

3.Heard Mr.V.Karuna, learned Counsel for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondent.



4.The learned Government Advocate appearing for the respondent, on instructions, would submit that there are rival claimants to the very same property.

5.This Court is of the considered view that no prejudice will be caused to the respondent, if the petitioner's application seeking for transfer of patta in her name is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the rival claimants, if any.

6.Accordingly, this Court directs the respondent to consider the petitioner's application dated 15.12.2021 seeking for transfer of patta in her name in Patta No.2212 in S.F.No.246/5B1, to the extent of 2 Acres 5 cents, situated at Attappatti Village, Melur Taluk, Madurai District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and other rival claimants, whom the respondent deems fit to enquire, 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 stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar

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
The Zonal Deputy Tahsildar,
Taluk Office,
Melur, Madurai District.

+1 CC to M/s.SPL GP (SR-10565[F] dated 08/03/2022)

order made in
W.P.[MD]No.4082 of 2022
Dated:07.03.2022

SM
MS/17.03.2022/2P.3C