



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5214 of 2022

Thiyagarajan

... Petitioner

/Vs./

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Lalgudi,
Trichy District.

3.The Tahsildar,
Lalgudi Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to consider and pass orders on the petitioner's representations dated 03.02.2021, 06.12.2021 and 28.02.2022 to mutate the Patta into his name and also his siblings' name in respect of the property in Survey Nos. **(*)512/23, 512/24** situated at Viragular Village, Lalgudi Taluk, Trichy District.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.D.Sasikumar

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to consider and pass orders on the petitioner's representations dated 03.02.2021, 06.12.2021 and 28.02.2022 to mutate the Patta in the names of the petitioner and his siblings in respect of the property in Survey Nos. **(*)512/23, 512/24** situated at Viragular Village, Lalgudi Taluk, Trichy District, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that presently the patta for the aforementioned property stands in the name of his grandfather. He seeks for issuance of patta in his name and in his siblings' names. According to him, his grandfather executed a settlement deed in favour of the petitioner and his siblings. He has submitted representations on 03.02.2021, 06.12.2021 and 28.02.2022 for transfer of patta in the names of the petitioner and his siblings.



Since the said representations have not been considered till date, the petitioner has filed this writ petition.

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

4. The learned Additional Government Pleader appearing on behalf of the respondents, on instructions, would submit that petitioner's grandfather was issued with only 2C patta and not regular patta. The said statement is recorded. It is for the respondents to decide as to whether the petitioner is entitled for regular patta or 2C patta, based on the representations referred to supra.

5. No prejudice would be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing as well as any other necessary party, whom the respondents deem fit to enquire.

6. Accordingly, this Court directs the third respondent to consider the petitioner's representations dated 03.02.2021, 06.12.2021 and 28.02.2022 requesting for mutation of the Patta in the names of the petitioner and his siblings, in respect of the property in Survey Nos. **(*)512/23, 512/24** situated at Viragular Village, Lalgudi Taluk, Trichy District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, as well as any other necessary party, whom the third respondent deems fit to enquire, within a period of three [3] months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD I)

(*)Amended as per the order of this court dated 19/04/2022 made in WMP(MD).No. 5547 of 2022 in WP(MD).No.5214 of 2022

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



(*) to be substituted the order already despatched on 08/04/2022

To:

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Lalgudi,
Trichy District.

3.The Tahsildar,
Lalgudi Taluk,
Trichy District.

+1 CC to M/s.SPL GP (SR-14511[F] dated 25/03/2022)

+1CC to Mr.T.Lenin KumarSR.No. 19566

W.P.[MD]No.5214 of 2022
24.03.2022

MGJ(04.04.2022) 3P 5C

KB(29.04.2022) 3P 6C