



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5958 of 2022

Durai

... Petitioner

/Vs./

1. The Tahsildar,
Cheranmahadevi Taluk Office,
Tirunelveli District.

2. The Sub Registrar,
Cheranmahadevi,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to issue new Patta in favour of the petitioner as per Application submitted by the Petitioner through the 2nd Respondent vide Acknowledgement Nos. TNIGRS/2021/Rural/22315723/19072021174837 dated 19.07.2021 for Document No.795 of 2021 and TNIGRS/2021/Rural/22485134/13082021144111 dated 13.08.2021 for sale deed document No.917 of 2021 and which are registered before the 2nd Respondent within a time frame to be stipulated by this Court.

For Petitioner	: Mr.N.Sankar Ganesh
For Respondents	: Ms.S.Jeyapriya Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to issue patta in the name of the petitioner, based on his application dated 19.07.2021, within a time frame to be fixed by this Court.

2.According to the petitioner, he purchased the property measuring 50 cents in Ayan Punja (*)**S.No.41/1**, Karisalpatti Village, Cheranmahadevi, Tirunelveli District, under two sale deeds dated 19.07.2021 registered as Document No.795 of 2021 and dated 13.08.2021 registered as Document No.917 of 2021. He claims that he is in possession and enjoyment of the aforementioned properties, ever since his purchase. He has applied for transfer of patta in his name on 13.08.2021 with the first respondent. He has also enclosed all the relevant documents for obtaining patta transfer. Since the application dated 13.08.2021 seeking for transfer of patta in his favour has not been considered, he has filed this writ petition.



3. Heard Mr.N.Sankar Ganesh, learned Counsel for the writ petitioner and Ms.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents, if the representation of the petitioner seeking for transfer of patta in his name is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom respondents deem fit to enquire.

5.The petitioner has also filed copies of the sale deeds, by which, he claims to have become the absolute owner of the aforementioned properties. It is for the respondents to consider the same on merits and in accordance with law, and decide as to whether the patta can be transferred in the name of the petitioner or not.

6.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 13.08.2021 seeking for issuance of patta in his name for the property measuring 50 cents in Ayan Punja (*)S.No.41/1, Karisalpatti Village, Cheranmahadevi, Tirunelveli District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom the first 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 above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

**(*)Corrected as per the order of this Court Dated 14.06.2022
Made in WP(MD).5985 of 2022**

Sd/-

Assistant Registrar (CS-III)

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/06/2022

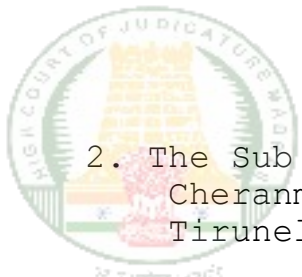
Sub Assistant Registrar(CS)

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To

(*)to be substituted to the order already despatched on 21.04.2022

1. The Tahsildar,
Cheranmahadevi Taluk Office,
Tirunelveli District.



2. The Sub Registrar,
Cheranmahadevi,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-16316[F] dated 04/04/2022)

**+1 CC to M/s.N. SANKAR GANESH, Advocate (SR-25555[F] dated
14/06/2022)**

W.P. [MD] No. 5958 of 2022
01.04.2022

VR (CO)

KB (19.04.2022) 3P 4C

TR (21.06.2022) 3P 5C