



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7455 of 2022

S.Victor Nishanth Kumar

... Petitioner

vs.

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Tahsildar,
Thoothukudi Taluk, Thoothukudi District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to transfer the patta in the name of the petitioner based on the registered Sale Certificate No.3918/2007 dated 09.11.2007 on the file of the Keezhoor Sub Registrar, Thoothukudi District, without insisting for the sale deed in respect of the 40.87 cents situated in S.No.90/2, Mappillaiyoorani Village, Thoothukudi Taluk, Thoothukudi District, by considering the petitioner's application dated 18.08.2021.

For Petitioner :Mr.I.Robert Chandrakumar
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 second respondent to transfer the patta in the name of the petitioner based on the registered Sale Certificate No.3918/2007 dated 09.11.2007 issued by the Debts Recovery Tribunal, Madurai.

2.The petitioner has given a representation on 18.08.2021 for the said purpose. Since the said representation has not been considered till date, he has filed this Writ Petition.

3.Heard Mr.I.Robert Chandrakumar, learned Counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.The petitioner has filed a copy of sale certificate, dated 09.11.2007 issued by the Debts Recovery Tribunal, Madurai in Certificate No.3918/2007, in which, he has purchased the subject property comprised in S.No.90/2, Mappillaiyurani Village, Thoothukudi Taluk, Thoothukudi District, measuring an extent of



40.87 cents. The petitioner has also given a representation on 18.08.2021 seeking for issuance of patta in his name based on the aforesaid sale certificate.

5.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing.

6.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation seeking for issuance of patta in his name for the property comprised in S.No.90/2, Mappillaiyurani Village, Thoothukudi Taluk, Thoothukudi District, measuring an extent of 40.87 cents based on the sale certificate, dated 09.11.2007 in Sale Certificate No.3918/2007 issued by the Debts Recovery Tribunal, Madurai and pass final orders on merits in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Tahsildar,
Thoothukudi Taluk, Thoothukudi District.

+1 CC to M/s.SPL.GP (SR-20073[F] dated 21/04/2022)

Order made in
W.P. (MD)No.7455 of 2022
20.04.2022

NA (CO)
GC (02.05.2022) 2P 4C