



W.P.(MD)No.24955 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24955 of 2022

M.Mohamed Nizami

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Mani Nagar,
Paramakudi – 623 707,
Ramnad District.

3.The Tahsildar,
Taluk Office,
Paramakudi – 623 707,
Ramnad District.

4.The Town Surveyor,
Municipality Office,
Paramakudi – 623 707,
Ramnad District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third respondent in Pa.Mu(D1)10601/2022, dated 14.10.2022, quash the same as illegal, and direct the second respondent to consider petitioner's representation, dated 15.10.2022,



W.P.(MD)No.24955 of 2022

demanding transfer of Patta in his name, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Raja Mohamed

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the third respondent in Pa.Mu(D1)10601/2022, dated 14.10.2022, and direct the second respondent to consider his representation, dated 15.10.2022, demanding transfer of Patta in his name, within a time frame.

2. According to the learned counsel for the petitioner, the properties in question belong to the petitioner. Initially, the petitioner submitted a representation dated 22.06.2021, before the third respondent to transfer Patta in his name along with requisite fees. However, no steps were taken on his representation. Hence, the petitioner sent several representations in this regard and finally, submitted an application to the third respondent on 08.10.2022, under the Right to Information Act, 2005, for which, the third respondent sent a reply to the petitioner dated 14.10.2022, stating that the properties in question



W.P.(MD)No.24955 of 2022

are undivided common properties, hence, his Patta transfer petition was dismissed by him on 01.09.2022. Challenging the same, the petitioner has filed the present Writ Petition.

3. Today, when the matter is taken up for hearing, Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents, on instructions, submits that the petitioner's property has been shown in the revenue records as 'S.No.323/2B', 'undivided common properties' and Patta in respect of the said property stands in favour of 27 persons and hence, the petitioner's Patta transfer petition was dismissed. If the petitioner files all the relevant documents in support of his claim, his request would be considered, in accordance with law.

4. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the petitioner to submit all the relevant documents in support of his claim before the third respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of such documents, the third respondent shall pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the necessary parties concerned, within a period of 12 weeks thereafter.



W.P.(MD)No.24955 of 2022

5. This Writ Petition stands disposed of with the above directions. No

costs.

Index : Yes/No
smn2

17.11.2022

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Mani Nagar,
Paramakudi – 623 707,
Ramnad District.
- 3.The Tahsildar,
Taluk Office,
Paramakudi – 623 707,
Ramnad District.
- 4.The Town Surveyor,
Municipality Office,
Paramakudi – 623 707,
Ramnad District.



WEB COPY



W.P.(MD)No.24955 of 2022

V.BHAVANI SUBBAROYAN, J.

smn2

W.P(MD)No.24955 of 2022

17.11.2022