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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 11.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22630 of 2018

M.Shahul Hameed

..Petitioner

Vs

The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to mutate the patta in respect of the Petitioner's land in S.No.28/4, Sekkalaikottai Village, Karaikudi Taluk, Sivagangai District by passing orders on the Petitioner's application dated 17.10.2018 within the time stipulated by this Court.

For Petitioner :Mr.C.R.Kasi Viswanathan,
for M/s.Ajmal Associates

For Respondent :Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondent to mutate the patta in respect of the Petitioner's land in S.No.28/4, Sekkalaikottai Village, Karaikudi Taluk, Sivagangai District by passing orders on the Petitioner's application, dated



2.Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader takes notice for the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner would contend that his father was owning Plot No. 20, measuring an extent of 2460 sq.ft in Sekkalaikottai Village, Karaikudi Taluk, Sivagangai District and he died on 20.1.2011 and on the demise of his father, the property devolved on him and he is in possession and enjoyment of the same. The patta in respect of the said land stands in the name of the Petitioner's father's Vendor one Mr.Padmanabha Iyer and the Patta Number is 42. Hence the Petitioner filed an application before the respondent on 17.10.2018 for mutation of patta in his name.

4.The learned Additional Government Pleader appearing for the respondent would point out that in the said application, the survey number differs and the schedule of the land in the sale deed is also different and no Death Certificate or Legal Heirship Certificate has been produced by the petitioner and the application is bereft of particulars. He would further submit that due to the non-availability of particulars, the authority concerned is not in a position to consider the same.

5.In view of the above said submission, the Writ Petition stands disposed, with liberty to the Petitioner to approach the authorities



concerned by attaching necessary documents and providing appropriate and correct particulars by filing a fresh application and the respondent is directed to consider the same in accordance with law. No costs.

11.11.2022

Index : Yes/No

Internet:Yes/No

vsn

To

The Tahsildar,
Karaikudi Taluk,
Sivagangai District.



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4

V.BHAVANI SUBBAROYAN,J

vsn

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