



WEB COPY



W.P.No.12581 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12581 of 2023

Gundappan

...Petitioner

-Vs-

1. The District Collector,
Krishnagiri.

2. The Tashildar,
Soolagiri, Krishnagiri.

3. Chenrayan

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to mutate the name in the computerized chitta and patta for survey number 92 in MallaChandiram Village, Soolagiri Taluk, Krishnagiri district measuring an extent of 4.81 acre from Chenrayan son of Govindasamy to the petitioner's name based on the representation dated 28.09.2021.

For Petitioner : Mr.R.Poornima

For Respondents : Mr.Abhishek Murthy, GA



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ORDER

The grievances of the writ petitioner is that the application submitted by the petitioner, on 28.09.2021 seeking transfer of patta, is yet to be disposed of, despite the fact that inquiry was conducted twice by the second respondent Tahsildar.

2.Under the provisions of the Patta Passbook Act, an application seeking patta or its cancellation or transfer must be submitted in a prescribed format by paying necessary fees prescribed by the Government. In the event of submitting any such application, the authorities on receipt has to scrutinise the same and thereafter conduct an inquiry by affording opportunity to the parties. It is needless to state that the revenue authorities are empowered to conduct an inquiry by verifying the documents. But they are not empowered to determine the title or ownership in respect of the property. If the documents establishes the right of a person, then an order granting patta or its cancellation or transfer of patta is to be passed as the case may be.



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3. Therefore, the petitioner has to submit an application in a prescribed format by paying the necessary fees and if that is received by the second respondent who is the competent authority, then an inquiry is to be conducted by calling for the entire records from the petitioner and thereafter, the respondent has to take a decision on merits and in accordance with law as expeditiously as possible.

4. Accordingly, the writ petition stands **disposed of**. No costs.

(sha)

25.04.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

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S.M.SUBRAMANIAM. J.,

(sha)

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