



W.P.(MD) No.7168 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.7168 of 2021

M.Firdhowsa Thendral

.. Petitioner

Vs.

The Revenue Divisional Officer,
Uthamapalayam-625 533,
Theni District.

.. Respondent

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent herein to dispose of the petitioner's appeal dated 02.11.2020 filed before the respondent herein challenging the non-speaking whatsapp order dated 29.10.2020 passed by the Tahsildar, Uthamapalayam Taluk, for Sub-Division and transfer of patta in accordance with law.

For Petitioner : Mr.K.Appadurai

For Respondent : Mr.D.Ghandiraj
Government Pleader



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ORDER

The petitioner has filed this writ petition for the issue of a Writ of Mandamus, directing the respondent to dispose of the petitioner's appeal dated 02.11.2020 filed before the respondent challenging the non-speaking whatsapp order dated 29.10.2020 passed by the Tahsildar, Uthamapalayam Taluk, for Sub-Division and transfer of patta.

2. The petitioner had purchased a dwelling house bearing Door No. 5G1 measuring an extent 1353 sq.ft., situated in Block No.22, Ward-A, comprised in Town Survey No.15/2, Old S.Nos.2204/1 and 2209, Patta No.1043, Uthamapuram Village, Uthamapalayam Taluk, Cumbum Town, registered as Document No.1613/2020, dated 27.05.2020 from S.Udayaraja and his wife U.Karthigai Selvi. After purchase, the petitioner had been put in possession of the said property and has also been paying the property tax. She had therefore, applied to the Tahsildar, Uthamapalayam for mutating the revenue records in her name by an online application on 06.07.2020. However, the same was rejected by



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the authority on 29.10.2020 without holding an enquiry or giving reasons. Thereafter, when the petitioner had approached the office of the Town Surveyor, they have verified the survey records and the petitioner was informed that the entire extent of 1.90 acres was plotted out as early as in 2006 and sold to various person. However, one Noorjahan, who had purchased only 15 cents from and out of this 1.90 acres, had illegally obtained solvency certificate for the entire extent of plots from the revenue authorities for her personal gain and therefore, she had been granted patta in respect of 1 acre and 84 cents, despite the fact that this property had been formed into a layout of house sites and sold to several persons. Therefore, the petitioner had filed an appeal before the respondent on 02.11.2020. The respondent however, has not taken up the appeal. The petitioner has approached this Court for the aforesaid relief.

3. Heard the learned counsel on either side.

4. Considering the limited request sought for by the petitioner, this Writ Petition is disposed of. The respondent is directed to consider the



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petitioner's appeal dated 02.11.2020 and pass orders by following due process of law. No costs.

20.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

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To

The Revenue Divisional Officer,
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P.T.ASHA, J.

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