



**W.P(MD)No.10381 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 28.04.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD)No.10381 of 2023**

Velusamy

... Petitioner

Vs.

The Tahsildar  
T.Vadipatti Taluk,  
Madurai District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to transfer patta in favour of the petitioner as per the will in Survey No. 303B/1, 3 situated at T.Nayakkanpatti, Thettur Revenue Village, T.Vadipatti Taluk, Madurai District, based on the representation dated 15.03.2023.



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For Petitioner : Mr.S.Muthukrishnan  
For Respondent : Mr.N.Muthu Vijayan  
Special Government Pleader

### **ORDER**

The writ petition has been filed in the nature of a Mandamus seeking a direction to the respondent / Tahsildar, T.Vadipatti Taluk, Madurai District, to consider the representation of the petitioner dated 15.03.2023 by which the petitioner sought transfer of patta in his name with respect to the property at Survey No.303B/1, 3 at T.Nayakkanpatti, Thettur Revenue Village, T.Vadipatti Taluk, Madurai District.

2. The petitioner claims that the property had been bequeathed to him by his maternal uncle who had executed a Will.

3. The learned Special Government Pleader however, pointed out that the Will had not been registered and probate had also not been granted and it had also not been proved under Section 68 of the Evidence Act, 1972. However, let the respondent examine the Will and



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if he satisfied, proceed to do the needful. If he raises any doubt, he may issue notice to the petitioner and seek clarifications. If the petitioner is able to clarify, then the respondent may proceed further. If the petitioner is not able to clarify, then the respondent may file a report giving reasons for not able to transfer the patta. The entire exercise must be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of. No costs.

**28.04.2023**

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

RM



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To  
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The Tahsildar  
T.Vadipatti Taluk,  
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**C.V.KARTHIKEYAN, J.**

RM

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