



W.P.(MD)No.23316 of 2023

--BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.23316 of 2023

M.Rajkumar

... Petitioner

versus

The Tahsildar,
Lalgudi,
Trichy District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent in Moo.Mu.A2/6158/2023 dated 4.08.2023, quash the same and direct the respondent herein to conduct enquiry under Rule 4 of the Tamil Nadu Patta Pass Book Act and pass orders on merits and in accordance with law within a reasonable time as prescribed by law.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

This writ petition is filed challenging the order dated 04.08.2023 passed by the of the second respondent, rejecting the request of the petitioner for issuance of patta based on the unregistered Will on the ground that in the absence of any registered Will, the same cannot be effected.

2. The Will need not be registered. However, the learned counsel appearing for the petitioner submits that the petitioner will get the Will probated before the competent Civil Court.

3. In view of the said submission, this writ petition is disposed of by granting liberty to the petitioner to get the Will probated before the competent Civil Court and thereafter, approach the respondent for issuance of patta. In the event the petitioner applies for issuance of patta based on the Will probated, the respondent shall consider the



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same and take a decision in accordance with law, as expeditiously as possible. No costs.

25.09.2023

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

To

The Tahsildar,
Lalgudi,
Trichy District.



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B.PUGALENDHI, J.

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