



W.P(MD)No.29265 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29265 of 2023

Ganapathy

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Sankarankovil Taluk,
Tenkasi District.

2.The Village Administrative Officer,
Ko.Maruthapuram Village,
Sankarankovil Taluk,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to transfer the patta stands in the name of the petitioner's grandfather Perumalsamy, to the name of the petitioner in respect of S.F.No.159/8, 176/3 in Patta No.428 measuring about Punjai and respectively situate in Ko.maruthapuram Village, Sankarankovil Taluk, Thenkasi District on the basis of the petitioner's representation dated 24.10.2023 within a time stipulated time as may be fixed by this Court.

For Petitioner : Mr.C.R.Ponnuthai

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader



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ORDER

The petitioner admits that the property belonged to his grandfather namely Perumalsamy. Perumalsamy had three children namely Sathurappan, Susila and Suba Lakshmi. If according to the petitioner, the property should be exclusively standing in his name, then, he must obtain consent from Susila and Suba Lakshmi or he must prove that the property had been allotted to him in a family partition. Without doing so, the petitioner cannot straight away make a request for mutation of patta in his name.

2. The petitioner is permitted to move the first respondent with appropriate request by enclosing the relevant materials. If the petitioner cannot place such materials, the only remedy open to the petitioner is to move the jurisdictional civil Court. At this stage, I cannot issue any direction to the first respondent. Granting liberty as mentioned aforesaid, the Writ Petition is dismissed. No costs.

12.12.2023

Index : Yes / No
Internet : Yes/ No
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- To
- 1.The Tahsildar,
Taluk Office,
Sankarankovil Taluk,
Tenkasi District.
 - 2.The Village Administrative Officer,
Ko.Maruthapuram Village,
Sankarankovil Taluk,
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G.R.SWAMINATHAN, J.

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