



W.P.No.1823 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 1823 of 2024

and

W.M.P.No.1887 of 2024

1.R.S.Palanisami
2.R.Palanisami
3.R.Natarajan
4.R.M.Ramasamy
5.P.S.Natarajan
6.S.Palanisami
7.P.S.Ramasamy

... Petitioners

versus

1.The District Collector,
Coimbatore.

2.The Tahsildar,
Sulur,
Coimbatore District.

....Respondents



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Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of of Mandamus, directing the respondents to transfer the Patta No.11 of 1974 in the names of the petitioners in respect of the land in S.No.285 situated at Karumathampatti Village, Sulur Taluk, Coimbatore District based on the petitioner's representation dated 22.11.2023 as per order in W.P.No.999 of 2019, dated 14.2.2019.

For Petitioners : Mr.S.Sithirai Anandan

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents to transfer the Patta in Patta No.11 of 1974 in the names of the petitioners in respect of the land in S.No.285 situated at Karumathampatti Village, Sulur Taluk, Coimbatore District,



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based on the petitioner's representation dated 22.11.2023 and as per order in

W.P.No.999 of 2019, dated 14.2.2019.

2. The case of the petitioners is that earlier the second petitioner herein has made a request for transfer of Patta in respect of the subject property through his representation dated 20.02.2017, but there was no response from the respondents and hence, the petitioner has filed a writ petition in W.P.No.999 of 2019. This Court, by order dated 14.02.2019, directed the fourth respondent therein/Tahsildar, Sulur to consider the representation of the petitioner and pass appropriate orders, after giving due opportunity of hearing to petitioner and the rival claimants if any, within a period of six weeks. Since the fourth respondent therein has not passed any final orders, the petitioners have given a fresh representation to the respondents on 22.11.2023. The grievance of the petitioner is that the said request has not been considered so far.



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3. When the matter was taken up for hearing, this Court directed the respondents to file counter affidavit. Despite giving opportunity, the respondents have not filed counter affidavit.

4. Since this writ petition is filed for Mandamus simpliciter, to direct the respondents to consider the representation of the petitioner, this Court, without expressing any view or opinion with regard to the merits of the case, directs the respondents to consider the representation of the petitioner dated 22.11.2023, after giving notice to the petitioners as well as rival claimants/interested parties/objectors/aggrieved parties/adjacent owners if any, as the case may be and after conducting an enquiry into the matter and pass appropriate orders on merits and in accordance with law. Such exercise shall be completed within a period three months from the date of receipt of a copy of this order.



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5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

6. W.M.P.No.1887 of 2024, is ordered on payment of separate Court fees by each of the petitioners.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

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