



W.P.No.3837 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3837 of 2024

Thangarasu

... Petitioner

versus

1.The Tashildar,
Perambalur Taluk,
Perambalur District.

2.The Village Administrative Officer,
Sengunam Village, Perambalur Taluk,
Perambalur District.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to mutate the patta in the name of the petitioner and his brothers from the name of their mother named Ammasi for the properties in R.S.No.420/1B3 and 420/12 in Sengunam Village of Perambalur Taluk and District of which Patta number is 158, by considering petitioner's application dated 17.03.2023.

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For Petitioner : Mr.N.Ponraj
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

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ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents. With the consent of both the parties the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the first respondent to consider the petitioner's application dated 17.03.2023, in and by which, he sought to mutate the Patta in the name of the petitioner and his brothers from the name of their mother Ammasi, in respect of the properties in R.S.No.420/1B3 and 420/12 in Sengunam Village of Perambalur Taluk and District, Patta No.158.

3. According to the petitioner, his mother Ammasi is the absolute



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owner of the subject property and she died intestate, leaving behind her sons as her legal heirs. The petitioner, who is one of the sons of the Ammasi has made an application dated 17.03.2023 for transfer of Patta in respect of the subject property in the name of the petitioner and his brothers. Even though he has made an application on 17.03.2023, the respondents have not considered the same so far, hence, the petitioner is constrained to file the present writ petition.

4. The learned Additional Government Pleader for the official respondents submits that the representation/application of the writ petitioner will be considered on merits and in accordance with law.

5. Heard both sides and perused the materials available on record.

6. Since this writ petition is filed for Mandamus simpliciter, to direct



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the first respondent to consider the representation/application of the petitioner, this Court, without expressing any view or opinion with regard to the merits of the case, directs the first respondent to take the application given by the petitioner on file, if it is otherwise in order and issue notice to the petitioner as well as rival claimants/objectors/adjacent owners/interested parties if any, as the case may be, and after giving notice to the parties, conduct enquiry, and pass appropriate orders on merits and in accordance with law, if the final order has not been passed so far on the application. Such exercise shall be done by the first respondent within a period of three months from the date of receipt of a copy of this order.

7. If at all the first respondent has not so far taken the application on file, if the application is otherwise in order, the appointing authority/disciplinary authority/Chief Secretary, Government of Tamil Nadu, Secretariat, Chennai-600 009, as the case may be is directed to take



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departmental action against the first respondent at the relevant point of time,
as to why he/she has not either followed the order of this Court dated
09.06.2023 in **W.P.No.262 of 2018 [D.Tulasi Vs. The District Revenue
Officer, Dharmapuri] etc.**, or a circular dated 17.07.2023 bearing Circular
No. R1/2005632/2022 and file action taken report before this Court within a
period of two months.

Post the writ petition 'FOR REPORTING COMPLIANCE' on
10.04.2024.

20.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

- 1.The Tashildar,
Perambalur Taluk,
Perambalur District.
- 2.The Village Administrative Officer,
Sengunam Village, Perambalur Taluk,
Perambalur District.
- 3.The Chief Secretary,
Government of Tamil Nadu,
Secretariat.
Fort St.George,
Chennai-600 009.



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P.VELMURUGAN, J.

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