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W.P. No.4572 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4572 of 2024

J.Richard Nepolian

... Petitioner

Vs.

1. The District Collector
Thiruvallur District, Thiruvallur

2. The Revenue Divisional Officer
Thiruvallur District, Thiruvallur

3. The Tahsildar
Thiruvallur District, Thiruvallur

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's online application made on 07.02.2024 vide application ID No.7703163 and issue transfer of Patta in favour of the petitioner for the land property comprised in Survey No.128/16 measuring an extent of 1.02 cents and in Survey No.128/17 measuring an extent of 0.38 cents situated at Ayyaneyari Village, R.K.Pettai Taluk, Thiruvallur District.



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For Petitioner : Mr.R.Govindasamy

For Respondents : Mr.T.Arun Kumar

Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's online application made on 07.02.2024 vide application ID No.7703163 and issue transfer of Patta in favour of the petitioner for the land property comprised in Survey No.128/16 measuring an extent of 1.02 cents and in Survey No.128/17 measuring an extent of 0.38 cents situated at Ayyaneyari Village, R.K.Pettai Taluk, Thiruvallur District.

2. The case of the petitioner is that the petitioner's father purchased the subject property on 05.06.2023 vide registered document No.1954/2023 on the file of the Sub Registrar Office, R.K.Pettai and the Patta stands in the name of the previous owner namely Nagaraj. The petitioner's father made several representations requesting the authorities for transfer of patta in his favour and the same were not considered.



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Subsequently, the petitioner made online application to the 3rd respondent

and the 3rd respondent by letter dated 29.09.2023, gave a reply that "while scanning online, it revealed that pending for correction cannot be proceed with this land and that the application would be considered only after rectifying the same". Subsequently, the petitioner's father settled the property in favour of the petitioner on 06.12.2023. Thereafter, on 08.12.2023, the petitioner made an application to the 3rd respondent for transfer of Patta. However, the respondents did nothing. Therefore, he made online application on 07.02.2024 and the same are pending. Hence, the present Writ Petition is filed.

3. Mr.T.Arun Kumar, Additional Government Pleader takes notice for the respondents.

4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to consider the petitioner's online application for transfer of Patta, this Court without expressing any opinion with regard to the merits



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of the case, directs the 3rd respondent to consider the petitioner's

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application dated 07.02.2024 and conduct enquiry in the manner know to law and after giving opportunity of hearing to the petitioner, interested parties/rival claimants/objectors if any as the case may be, pass orders on merits and in accordance with law within the time as stipulated in the circular No.R1/2005632/2022 dated 17.07.2023 issued by the Commissioner of Land Administration, from the date of receipt of a copy of this order.

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

23.02.2024

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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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P.VELMURUGAN. J.

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