



W.P. No.7293 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7293 of 2024 and

W.M.P. No.8157 and 8175 of 2024

Kanchana Venkatesan

... Petitioner

Vs.

1. The Tahsildar

Hosur Taluk

Krishnagiri District

2. The Zonal Deputy Tahsildar

Hosur Taluk, Krishnagiri District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the 2nd respondent dated 20.01.2024 made in T.R.2023/0103/31/303918TR, quash the same and consequently direct the respondents to transfer patta pertaining to the property measuring an extent of 4400 sq.ft. comprised in Old Survey No.355, New Sub Division No.355/1B1A in Jujuluvadi Village, Hosur Taluk, Krishnagiri District in favour of the petitioner.

For Petitioner : Mr.J.Pothiraj

For Respondents : Mr.A.Selvendran

Special Government Pleader



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ORDER

This Writ Petition is filed seeking to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the 2nd respondent dated 20.01.2024 made in T.R.2023/0103/31/303918TR, quash the same and consequently direct the respondents to transfer patta pertaining to the property measuring to an extent of 4400 sq.ft. comprised in Old Survey No.355, New Sub Division No.355/1B1A in Jujuluvadi Village, Hosur Taluk, Krishnagiri District in favour of the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner purchased the subject property in a public auction and the Bank also issued a sale certificate and the same was registered before the Sub Registrar, Hosur. Thereafter, the petitioner made an application before the respondents on 01.09.2023 for transfer of Patta from the original owner/Judgment Debtor, whereas, the 2nd respondent without jurisdiction and without considering the petitioner's application, once again transferred



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the Patta in the names of the very same original owners. Again the petitioner made an application on 01.02.2024 for transfer of Patta. But the same has not been considered. Therefore, the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents.

4. Heard and perused the materials available on record.

5. Having regard to the facts of the case, the order passed by the 2nd respondent in T.R.2023/0103/31/303918TR dated 20.01.2024, is quashed.

6. Since the petitioner has subsequently made another application on 01.02.2024, the 2nd respondent is directed to consider the said application and after giving notice to the petitioner, original owners, rival claimants/interested parties/aggrieved parties if any, as the case may be as per the Tamil Nadu Patta Passbook Rules, conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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7. With the above directions, this Writ Petition is allowed.

Consequently, connected Miscellaneous Petitions are closed. No costs.

21.03.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

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To

1. The Tahsildar
Hosur Taluk
Krishnagiri District
2. The Zonal Deputy Tahsildar
Hosur Taluk, Krishnagiri District



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P.VELMURUGAN. J.

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