



WEB COPY



WP.No.11215 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11215 of 2024 & W.P.No.12305 of 2024

Bakya

.. Petitioner

Versus

1. The District Collector,
Kallakurichi District.

2. The Revenue Divisional Officer,
Kallakurichi District.

3. The Tahsildar,
Sankarapuram, Kallakurichi District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of the third respondent in proceedings Application No.2024/0105/33/470428 dated 30.03.2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the third respondent to transfer the patta in the name of the petitioner as per registered Gift Deed in document No.5580 of 2023 dated 20.09.2023.

For Petitioner : Mr.A.Arun Kumar

For Respondents : Mr.A.Selvendran
Special Government Pleader



WP.No.11215 of 2024

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned proceedings of the third respondent in No.2024/0105/33/ 470428 dated 30.03.2024 as illegal, incompetent and without jurisdiction and direct the third respondent to transfer the patta in the name of the petitioner as per registered Gift Deed in document No.5580 of 2023 dated 20.09.2023.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. The rejection order of the third respondent has been challenged mainly on the ground that since there is dispute between the relatives and no reason whatsoever has been assigned while rejecting the request of the petitioner. Hence, the present Writ Petition.



WP.No.11215 of 2024

5. The learned Special Government Pleader appearing for the respondents fairly submitted that they will pass detailed Order after giving opportunity to the petitioner.

6. In such view of the matter, as the impugned Order is bereft of details and no reason has been assigned for rejecting the request of the petitioner, the same cannot be sustained in the eye of law. Accordingly, there shall be a direction to the third respondent to pass detailed order after giving opportunity to the petitioner. Such an exercise shall be completed within a period of three months from the date of receipt of a copy of this Order.

7. With the above directions, this Writ Petition is allowed and impugned Order passed by the third respondent dated 30.03.2024 stands quashed. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2024

vrc

Index	:Yes/No
Internet	:Yes/No
Neutral Citation	: Yes/No



WP.No.11215 of 2024

To,
WEB COPY

1. The District Collector,
Kallakurichi District.
2. The Revenue Divisional Officer,
Kallakurichi District.
3. The Tahsildar,
Sankarapuram, Kallakurichi District.



WEB COPY



WP.No.11215 of 2024

N. SATHISH KUMAR, J.

VRC

W.P.No.11215 of 2024

25.04.2024