



W.P.No.11111 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.11111 of 2024

Vijayamurthy

... Petitioner

Vs.

1.The District Collector,
Puducherry District,
Puducherry.

2.The Tahsildar,
Office of the Taluk Office,
Villianur Commune,
Puducherry.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 27.04.2023 and consequently direct the first respondent to issue and transfer patta in the petitioner's name from his grandfather's name and survey the land by the Survey Department total vacant land ad measuring 43.00.60 Hectare Nanjai Land, Patta No.731, Baimash No.16, Cadaster No.139, comprised in Ariyur Village, Pangur Re Survey No.195/5, situate at Villianur Commune Panchayat, Sub-Registration, Villianur, Puducherry District.



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For Petitioner : Mr.G.Anbuchezeiyan
For Respondents : Mrs.V.Usha, AGP (Pondy)

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 27.04.2023 and consequently direct the first respondent to issue and transfer patta in the petitioner's name from his grandfather's name and survey the land by the Survey Department total vacant land ad measuring 43.00.60 Hectare Nanjai Land, Patta No.731, Baimash No.16, Cadaster No.139, comprised in Ariyur Village, Pangur Re Survey No.195/5, situate at Villianur Commune Panchayat, Sub-Registration, Villianur, Puducherry District.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. The grievance of the petitioner is that he has given a representation on 27.04.2023 for change of patta. According to him, his grandfather is the original owner of the subject property. The petitioner's



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mother was the only legal heir to the petitioner's grandfather. After his death, the mother of the petitioner acquired the entire property by way of succession. Thereafter, she executed a settlement deed in favour of the petitioner and his sister. The sister also released her share in favour of the petitioner. Therefore, he seeks necessary direction.

4. Heard Mr.G.Anbuechezheiyar, learned counsel for the petitioner, Mrs.V.Usha, learned Additional Government Pleader (Pondy) for the respondents.

5. The learned Additional Government Pleader for the respondents, on instructions, submitted that the petitioner has not produced any document to show that there is a linkage between the original owner Murugesan and no legal heir certificate is produced.

6. In such view of the matter, the petitioner is directed to produce the linkage certificate / legal heir certificate to the first respondent. On such production, the first respondent is directed to consider the



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representation of the petitioner on its own merits and pass orders within a period of two months from the date of receipt of a copy of this order.

7. With the above observations, this Writ Petition is disposed of.

No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

24.04.2024



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WEB COPY

To

- 1.The District Collector,
Puducherry District,
Puducherry.
- 2.The Tahsildar,
Office of the Taluk Office,
Villianur Commune,
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N.SATHISH KUMAR, J.

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