



WEB COPY

W.P.Nos.17442 & 17444 of 2024
and W.M.P.Nos.19228 & 19231 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.17442 & 17444 of 2024
and W.M.P.Nos.19228 & 19231 of 2024

Anjan Rangaraj

...

Petitioner
[in both W.Ps]

versus

The Tahsildar,
Cheyyur Taluk,
Cheyyur.

...

Respondent
[in both W.Ps]

Prayer in W.P.No.17442/2024: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent herein in File No.2024/0103/35/359396, dated 16.05.2024, quash the same and consequently direct the respondent to transfer the patta in favour of the petitioner in respect of the lands comprised in S.Nos.212/5A2 & 213/4 in all admeasuring 1 Acre and 82 Cents situated at Kottaikadu Group 57, Thenpakkam Village, Cheyyur Taluk, Kancheepuram District.



Prayer in W.P.No.17444 of 2024: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent herein in File No.2024/0103/35/359406, dated 16.05.2024, quash the same and consequently direct the respondent to transfer the patta in favour of the petitioner in respect of the lands comprised in S.Nos.102/1A1B, 102/1B1B, 102/1B2, 102/1B3, 102/3, 102/4, in all total admeasuring 85 cents situated in No.59 Kadppakkam Village, Cheyyur Taluk, Kancheepuram District.

For Petitioner	:	Mr.S.Rajasekar
[in both W.Ps]		
For Respondent	:	Mr.S.J.Mohamhed Sathik
[in both W.Ps]		Government Advocate

COMMON ORDER

By consent of both sides, these Writ Petitions are disposed of at the stage of admission itself.

2. Challenging the impugned orders issued by the Tahsildar rejecting the applications submitted by the petitioner for the grant of patta on the basis of the Letters of Administration granted by this Court in O.P.No.1 of 2023, these writ petitions have been filed.



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3. It is the case of the writ petitioner that the property was originally owned by one Gomathi and she has bequeathed the said property in favour of the petitioner. The Will has been proved before this Court in O.P.No.1 of 2023 and the Letters of Administration granted in favour of the petitioner. When the said judgment of this Court has been produced while applying for transfer of patta, the impugned orders came to be passed requiring so many other documents. Hence, these Writ Petitions.

4. The learned Government Advocate for the respondent fairly submitted that the order should not have been passed and the order cannot be sustained in the eye of law.

5. When the Court has already considered the Will and Will has been proved and Letters of Administration granted in favour of the petitioner, still insisting on the legal heir certificate and other documents by the revenue authority is nothing but clear disobedience of this Court order. This Court, in testamentary jurisdiction, validated the Will and granted Letters of Administration, the revenue officials have no authority to go into that certificate by insisting on other documents.



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6. In such view of the matter, the impugned orders in File No.2024/0103/35/359396, dated 16.05.2024 and File No.2024/0103/35/359406, dated 16.05.2024 issued by the respondent are hereby quashed. The respondent / Tahsildhar is directed to issue patta to the petitioner within a period of one month from the date of receipt of a copy of this order.

7. With the above direction, these Writ Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The Tahsildar,
Cheyyur Taluk,
Cheyyur.



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N.SATHISH KUMAR, J.

sri

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