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WP.No.21633 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.08.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21633 of 2024

I.Velayutham

.. Petitioner

Versus

1. The District Collector,
Kallakurichi District, Kallakurichi.

2. The Revenue Tahsildar,
Kallakurichi Taluk, Kallakurichi District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant patta for 64 cents in S.F.No.525/5 75 cents in S.F.No.525/9 1.00 Acre in S.F.No.528/1 and 1.02 acres in S.F.No.528/3 of Sithalur Village, Kallakurichi Taluk and District by considering the petitioners application for patta Transfer in CAN No.13307073132117 and Application No.2023/0103/33/331889 dated 6.6.2023

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.A.Selvendran
Special Government Pleader



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ORDER

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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 direct the respondents to grant patta for 64 cents in S.F.No.525/5 75 cents in S.F.No.525/9 1.00 Acre in S.F.No.528/1 and 1.02 acres in S.F.No.528/3 of Sithalur Village, Kallakurichi Taluk and District by considering the petitioners application for patta Transfer in CAN No.13307073132117 and Application No.2023/0103/33/331889 dated 6.6.2023.

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 case of the petitioner is that he is the owner of the subject property by virtue of sale deed 11.04.1984. The further case of the petitioner is that one Poongavanam filed a suit in O.S.No.48 of 1989 against the petitioner and his vendor for declaration of title and for permanent injunction and the suit has been dismissed in the year 1994. As against which an appeal in A.S.No.187 of 1996 has been filed and the same has also been dismissed. The petitioner filed



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a suit in O.S.No.194 of 1989 against the said Poongavanam and others for declaration, permanent injunction and recovery of possession and the suit has been decreed and no appeal has been filed against the said decree and judgment. The further case of the petitioner is that the revenue authorities had wrongly changed the patta in the name of husband of the said Poongavanam, viz., Swaminathan and Veeran in respect of 3.41 acres. In this regard the petitioner has given an online application to the respondents for transfer of patta in the name of the petitioner. But the respondents have not considered the same. Hence, the present Writ Petition.

5. Considering the limited relief sought for in this writ petition, the respondents are directed to consider the application of the petitioner in CAN No.13307073132117 and Application No.2023/0103/33/331889 dated 06.06.2023 and pass appropriate orders on the same on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

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Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

1. The District Collector,
Kallakurichi District, Kallakurichi.
2. The Revenue Tahsildar,
Kallakurichi Taluk, Kallakurichi District.



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N. SATHISH KUMAR, J.

vrc

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