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W.P.No.26851 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.26851 of 2024

and

W.M.P.No.29368 of 2024

J.N.Sanjay

... Petitioner

Vs.

1.The District Collector
Office Of The Collectorate,
Krishnagiri District-635 115.

2.The District Revenue Officer
Office Of The Collectorate,
Krishnagiri District-635 115.

3.The Tahsildar
Hosur Taluk,
Krishnagiri District-635 001.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 3rd respondent rejecting the petitioners online Application No.2023/0105/31/487392 dated 17.11.2023 and quash the same and consequently direct the 3rd respondent to transfer the patta for the property



W.P.No.26851 of 2024

in S.No. 503/9 comprising of 8,720 sq.ft. situated at ZuZuvadi Village of Hosur Taluk, in the names of 1) J.N.Sanjay 2) Vijayalakshmi and 3) Swathi.

For Petitioner : M/s.G.M.Ananthakumar

For Respondents : M/s.A.Selvendran, Spl.GP.
for R.1 to R.3

ORDER

Challenging the order of the 3rd respondent dated 17.11.2023 in application No.2023/0105/31/487392 rejecting the petitioner's online application for transfer of patta, the petitioner is before this Court.

2. It appears that the petitioner had submitted an online application to the 3rd respondent on 31.07.2023. However, this application has been rejected quoting the pendency of a suit without giving any details. The rejection which is in the vernacular is translated into English read as follows:-

Survey No.	Sub Div. No.	Reject Reason
503	9A	Court proceedings are pending in respect of the survey number for which a request for issue patta/request for subdivision has been made.
503	9A	It involves an undivided share.
503	9A	Field is under Crop Cultivation.



W.P.No.26851 of 2024

3. Heard the counsels on either side.

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4. The reasons for rejection of the petitioner's online application is a non-speaking one and without notice to the petitioner and affording him a personal opportunity to put forth his case. Therefore, since there is a violation of the principles of natural justice, the Writ Petition is allowed the impugned order dated 17.11.2023 is quashed and the matter is remitted back to the 3rd respondents for fresh consideration of the petitioner's online application dated 17.11.2023. The 3rd respondent shall issue notice to the petitioner, afford him a personal hearing and thereafter pass orders for the grant of patta. In case of a rejection, the 3rd respondent shall pass a speaking order. No costs. Consequently, the connected Miscellaneous Petition is closed.

15.11.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



W.P.No.26851 of 2024

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WEB COPY

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WEB COPY



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