



W.P.No.31827 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 31827 of 2024

G.Balamurali

...Petitioner

Vs.

1.The Sub-Collector,
Chidambaram,
Chidambaram Taluk,
Cuddalore District.

2.The Revenue Tahsildar,
Bhuvanagiri,
Bhuvanagiri Taluk,
Cuddalore District.

3.The Tahsildar (Natham),
Bhuvanagiri,
Bhuvanahiri Taluk,
Cuddalore District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to transfer



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patta to the name of the petitioner in respect of the property bearing S.No.47/2 8072 Sq.ft., in Villianallur Village, Bhuvanagiri Taluk, Cuddalore District.

For Petitioner : Mr. D.Baskar

For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

The petitioner seeks mandamus to the respondents to transfer patta in his name in respect of the properties bearing S.No.47/2 measuring an extent of 8072 sq.ft.

2. The petitioner would submit that a larger extent of the property in question belonged to the Trust known as Kuluppai Ramasamy Chetty Charities Sabha. The said Trust had become defunct and the lands were lying fallow. The Trust was being maintained by persons belonging to Chettiyar community. As there was a danger of the



property taken over by third parties, they had decided to dispose off the properties of the Trust.

3. Accordingly, they had filed O.S.No.541 of 2003 on the file of the Principal District Munsif, Cuddalore, seeking permission to sell the properties of the Trust. The suit was decreed on 09.01.2004. The properties comprised in S.No.47/2 measuring an extent is 0.19.5 Hec. in Villianallur Village, Bhuvanagiri Taluk, Cuddalore, was one such properties for which permission was sought. One Sumathi had purchased 8740 sq.ft., under a registered sale deed on 21.04.2016 from the Trust. Out of 8740 sq.ft., purchased by the said Sumathi, 668 sq.ft., was acquired for the formation of the NH 45 -A. The compensation was also paid. The remaining extent was purchased by the petitioner under a registered sale deed dated 14.12.2020. The petitioner therefore filed an application for transferring patta in his name.

4. The Special Tahsildar (LA), NH 45A, Phase-I, Cuddalore had also sent a communication dated 24.08.2022 giving his no objection for



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the transfer of patta in the name of the petitioner. Despite this, the respondent has not transferred patta in the name of the petitioner.

Therefore, the petitioner is before this Court.

5. Heard the learned counsels on the either side and perused the records.

6. Considering the facts set out above and taking into account the fact that the Land Acquisition Officer has given his no objection, there appears to be no impediment for the issue of patta. Therefore, the respondents are directed to transfer patta to the name of the petitioner in respect of the property bearing S.No.47/2 8072 Sq.ft., in Villianallur Village, Bhuvanagiri Taluk, Cuddalore District.

7. The Writ Petition is allowed. No costs.

06.11.2024

Index : Yes/No



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Internet : Yes/No
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P.T. ASHA, J,

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