



W.P.No.33690 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.33690 of 2023

and

W.M.P.No.33549 of 2023

B.Sivagami

... Petitioner

Vs.

1. The District Revenue Officer,
District Taluk,
Ranipet – 632 403.

2. The Tahsildar,
Nemili Taluk,
Ranipet District,
Ranipet – 632 403.

Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to Call for the records relating to Impugned Order of the second Respondent in Application No. 2021/ 0105/ 37/ 272701 dated 31.10.2022 and to quash the same and consequently direct the second Respondent to sub divide and transfer the Patta in the name of Petitioner and the properties mentioned in the schedule and in Existing Patta No.946 within the Jurisdiction of Kaveripakkam Sub Registrar Office, Nemili Taluk Ranipet District.



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For Petitioner : Mr.M.Shriram

For Respondents : Mrs.V.Yamundevi
Special Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned order of the second respondent in Application No. 2021/ 0105/ 37/ 272701 dated 31.10.2022 and to quash the same and also to direct the second respondent to sub divide and transfer the patta in the name of the petitioner and the properties mentioned in the schedule and in existing Patta No.946 within the Jurisdiction of Kaveripakkam Sub Registrar Office, Nemili Taluk Ranipet District.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



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3. It is the contention of the learned counsel for the petitioner that the second respondent rejected the petitioner's application dated 17.12.2021 seeking for transfer of patta, without any valid reason.

4. When the matter came up for hearing on 11.12.2023, this Court directed the respondents to file counter and posted this matter after four weeks. Today, when the matter is taken up for hearing, the respondents have not filed their counter.

5. On a perusal of the impugned order, it is seen that the second respondent simply rejected the petitioner's application without mentioning any reason. The order passed by the second respondent is a non-speaking order. Hence, the impugned order dated 31.10.2022 passed by the second respondent is set aside/quashed. Further, the second respondent is directed to issue a fresh notice to the petitioner, adjacent land owners of four boundaries of the subject property and interested parties/rival claimants/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in



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accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

6. With the abovesaid direction, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

23.01.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The District Revenue Officer,
District Taluk,
Ranipet – 632 403.
2. The Tahsildar,
Nemili Taluk,
Ranipet District,
Ranipet – 632 403.



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P.VELMURUGAN, J.

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