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WP.No.36148 of 2024

In the High Court of Judicature at Madras

Dated : 04.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36148 of 2024 &
WMP.No.39035 of 2024

R.Ashok Kumar

...Petitioner

Vs

1.The District Revenue Officer,
Tiruvallur, Tiruvallur District.

2.The Assistant Settlement Officer,
Enquiries - I, Chengalpet.

3.The Tahsildar, Ponneri Taluk,
Tiruvallur District.

4.The Zonal Deputy Tahsildar,
Ponneri Taluk, Tiruvallur
District.

5.The State Bank of India, rep.by
its Authorized Officer, Stressed
Assets Management Branch,
Secunderabad.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the fourth respondent herein on the reply given through online in File No.2024/0103/01/420961 dated 11.11.2024, quash the same and consequently direct the 3rd and the 4th



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respondents herein to transfer the patta in the name of the petitioner for the property vacant site to an extent of 6.37 acres comprised in survey Nos.56/3, 57/4 & 58, patta No.5126 of No.135, Minjur Village (Minjur 1), Ponneri Taluk, Thiruvallur District.

For Petitioner : Mr.R.S.Anandan
For R1 to R4 : Mr.M.R.Gokul Krishnan, AGP

ORDER

Aggrieved by a non speaking one line rejection of the petitioner's request for transferring patta in his name in respect of the property measuring an extent of 6.37 acres comprised in survey Nos.56/3, 57/4 & 58, patta No.5126, No.135, Minjur Village (Minjur 1), Ponneri Taluk, Thiruvallur District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for respondents 1 to 4.

3. The case of the petitioner is that he purchased the subject property through an auction conducted by the fifth respondent for a valuable consideration and the sale certificate dated 22.4.2024 came



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to be registered as doc.No.6616 of 2024 on the file of the Sub-Registrar, Ponneri. After the purchase, the petitioner made an online application to the fourth respondent on 09.9.2024 for the transfer of patta in his name. However, the said online application came to be rejected by the impugned order. Hence the writ petition.

4. The reason for rejection has been stated as follows :

Survey No./Sub-Division No.	Reason for rejection
56/3	பட்டா மாறுதல் கோரும் புலம்/உட்பிரிவு தொடர்பாக நீதிமன்ற வழக்கு நிலுவையில் உள்ளது
57/4	பட்டா மாறுதல் கோரும் புலம்/உட்பிரிவு தொடர்பாக நீதிமன்ற வழக்கு நிலுவையில் உள்ளது
58	பட்டா மாறுதல் கோரும் புலம்/உட்பிரிவு தொடர்பாக நீதிமன்ற வழக்கு நிலுவையில் உள்ளது

5. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned order.

6. A perusal of the impugned order would clearly show that it is a non speaking order and suffers from total non application of mind. This Court is unable to garner as to the basis, on which, the impugned



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order has come to be passed.

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7. Hence, the writ petition is allowed, the impugned order is set aside and the matter is remitted back to the fourth respondent, who shall consider the application of the petitioner dated 09.9.2024 afresh, afford an opportunity of personal hearing to the petitioner and thereafter pass orders within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected WMP is closed.

04.12.2024

To

- 1.The District Revenue Officer,
Tiruvallur, Tiruvallur District.
- 2.The Assistant Settlement Officer,
Enquiries - I, Chengalpet.
- 3.The Tahsildar, Ponneri Taluk,
Tiruvallur District.
- 4.The Zonal Deputy Tahsildar,
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- 5.The Authorized Officer, State Bank
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RS

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