



W.P.(MD)No.4670 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.4670 of 2021

and

W.M.P.(MD)No.3789 of 2021

T.Thangam

... Petitioner

Vs.

The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in connection with the impugned order passed by him in his proceedings in O.Mu./A4/RDR/363/2018 dated 07.06.2018 and quash the same as illegal and arbitrary and consequently direct him to transfer the patta in the petitioner's name for the property measuring about 3 cents with thatched house situated at Survey No.900/6 of Sammanthapuram Village, Rajapalayam Taluk, Virudhunagar District in the light of unregistered Will dated 11.10.2008 executed by the petitioner's grandfather namely Lingasamy as well as release deed dated 11.11.2016, 28.12.2016 and



W.P(MD)No.4670 of 2021

29.03.2017 executed by other legal heirs of his grandfather in his favour based on the petitioner's representation dated 10.08.2020 submitted in person, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Raja Ravi Varma
for Mr.M.Mohanasundaram

For Respondent : Mr.M.Prakash
Additional Government Pleader

ORDER

The Writ Petition is directed against the communication dated 07.06.2018 sent by the respondent directing the writ petitioner to produce the registered documents.

2. The learned counsel appearing for the writ petitioner would submit that the writ petitioner has produced the unregistered Will dated 11.10.2008 executed by the writ petitioner's grandfather Lingasamy and also the release deed dated 11.11.2016, 28.12.2016 and 29.03.2017 executed by the other legal heirs of the said Lingasamy in favour of the writ petitioner and that since the respondent has sent the impugned communication dated 07.06.2018, the writ petitioner has again sent a representation dated 10.08.2020 and that is still pending before the respondent.



W.P(MD)No.4670 of 2021

WEB COPY

3. The learned Additional Government Pleader appearing for the respondent would submit that the respondent has only directed the writ petitioner to produce the registered documents.

4. Considering the submissions made on either side and taking note of the impugned communication, the writ petitioner is directed to produce the documents standing in the name of his grandfather along with the documents now produced before the respondent and on receipt of the same, the respondent is directed to consider the same and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

23.04.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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W.P(MD)No.4670 of 2021

K.MURALI SHANKAR, J

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To

1. The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.4670 of 2021
and
W.M.P.(MD)No.3789 of 2021

Dated : 23.04.2024