



W.P.(MD) No.18825 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.18825 of 2024

P.Subramanian @ Mani

.. Petitioner

Vs.

1.The District Revenue Officer,
O/o the District Revenue Officer,
Pudukkottai.

2.The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

3.The Tahsildar,
Taluk Office,
Viralimalai,
Pudukkottai District.

4.Loganathan

5.Ponnuchamy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 3rd respondent to transfer patta in the petitioner's name with respect to properties in Old



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S.F.No.37/12 and New S.F.Nos.269/5 and 269/13 situated in Viralimalai Village, Viralimalai Taluk, Pudukkottai District, in the light of order of the 2nd respondent in his proceedings in Ni.Mu.5106/2023/A3, dated 26.09.2023 by considering the petitioner's representations, dated 14.06.2024 and 23.07.2024.

For Petitioner : Mr.S.Krishnan

For R1 – R3 : Mr.B.Saravanan
Additional Government Advocate

ORDER

The Mandamus is sought for by the petitioner to the 3rd respondent to transfer the patta in his name in respect of properties comprised in old S.F.No.37/12 and new Survey Nos.269/5 and 269/13 of Viralimalai Village, Pudukkottai pursuant to the order of the 2nd respondent, dated 26.09.2023.

2. The petitioner had earlier filed W.P(MD)No.2784 of 2022 questioning the grant of patta issued in the name of the respondents 4 and 5. This Court by an order, dated 21.03.2023 had directed the 2nd respondent to pass appropriate orders within a period of six weeks. Since the orders was not complied with, the contempt notice was issued by the



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petitioner to the 2nd respondent. Thereafter, by an order dated 26.09.2023, the 2nd respondent had cancelled the patta in the name of the respondent 4 and 5 and directed the 3rd respondent to issue patta in the name of the petitioner. Despite the fact that the respondents 4 and 5 had not filed any appeal challenging the order passed by the 2nd respondent, the 3rd respondent was not proceeding to comply with the directions of the 2nd respondent. The petitioner had given representation on 14.06.2024 and 23.07.2024 for transfer of patta in his name which has not yet been taken into consideration.

3. Therefore, a Mandamus is issued to the 3rd respondent to comply with the order of the 2nd respondent in his proceedings in Ni.Mu. 5106/2023/A3, dated 26.09.2023 within a period of six (6) weeks from the date of receipt of copy of this order.

4. With the above direction, this Writ Petition stands allowed. No costs.

06.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes



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To

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O/o the Revenue Divisional Officer,
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Pudukkottai District.
- 3.The Tahsildar,
Taluk Office,
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P.T.ASHA, J.

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