



W.P.(MD) No.25410 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25410 of 2024

and

W.M.P(MD)No.21557 of 2024

Edward Raj

.. Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Revenue Divisional Officer,
Ottapidaram,
Tuticorin District.

3.The Tahsildar,
Taluk Office,
Ottapidaram,
Tuticorin District.

4.The Zonal Deputy Tahsildar,
Taluk Office, Ottapidaram,
Tuticorin District.

.. Respondents



W.P.(MD) No.25410 of 2024

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining the impugned 4th respondent patta transfer rejection order, dated 20.07.2024 through land survey and land tax commissionerate online portal and quash the same as illegal and consequently directing the respondents to transfer the patta in the name of legal heirs of deceased Anthonysamy Nadar in Surve No.236 extent 47 ares, Survey No.237 extent 40.50 ares, and Survey No.238 extent 89 cents located at Keela Arasaradi Village, Ottapidaram Taluk, Thoothukudi District on the basis of petitioner's representation, dated 22.08.2024 to the 2nd respondent and representations dated 02.09.2024 and 23.09.2024 to the 1st respondent in accordance with law.

For Petitioner : Mr.A.R.Jeya Rhuthran

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The petitioner is aggrieved by the rejection of his request for transfer of patta by one line order, namely “The application 2024/0103/28/474238 is rejected by Zonal Deputy Tahsildar on 20.07.2024”.



W.P.(MD) No.25410 of 2024

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2. The petitioner is at loss to understand as to the ground on which his request has been turned down. Therefore, he is before this Court seeking to quash the rejection order, dated 20.07.2024 of the 4th respondent and direct the respondents to transfer the patta in the name of the legal heirs of deceased Anthonysamy Nadar.

3. Heard the learned counsel on either side.

4. The impugned order neither provide any reason for the rejection nor indicate the basis on which the 4th respondent had arrived at a decision to reject the request. Therefore, this Court is inclined to quash the impugned order. Accordingly, the impugned order passed by the 4th respondent, dated 20.07.2024 is quashed and the matter is remitted back to the 4th respondent and the request shall be considered afresh and a speaking order shall be passed within a period of six (6) weeks from the date of receipt of copy of this order.



W.P.(MD) No.25410 of 2024

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5. With the said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

25.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

- 1.The District Collector,
Tuticorin District,
Tuticorin.
- 2.The Revenue Divisional Officer,
Ottapidaram,
Tuticorin District.
- 3.The Tahsildar,
Taluk Office,
Ottapidaram,
Tuticorin District.
- 4.The Zonal Deputy Tahsildar,
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W.P.(MD) No.25410 of 2024

P.T.ASHA, J.

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W.P.(MD) No.25410 of 2024

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