



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.26490 of 2024
and
W.M.P(MD)No.22442 of 2024

P.Raja

... Petitioner

Vs

1.The Tahsildar,
Thuraiyur Taluk,
Trichy District.

2.The Zonal Deputy Tashildar,
Thuraiyur Taluk,
Trichy District.

3.Palaniammal,
W/o.Duraisamy,
Koppampatti Village,
Thuraiyur Taluk,
Trichy District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling the records relating to the proceedings of the 2nd respondent dated 17.07.2024 rejecting the Patta Transfer Application No.2024/0103/418754 and quash the same and consequently direct the Respondents No.1 to 2 to enquire and pass appropriate order in Patta Transfer application and pass such other or further orders as this Court.



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For Petitioner : Mr.R.Murali

For Respondents : Mr.M.Muthumanikkam
Government Advocate
for R1 & R2

ORDER

The instant writ petition has been filed challenging the order passed by the second respondent herein on 17.07.2024 rejecting the request of the petitioner for transfer of patta.

2.According to the learned Counsel appearing for the writ petitioner, as on today, the patta stands in the name of the third respondent. The petitioner has made a representation for mutating the patta in the name of the petitioner based upon the civil Court decree in O.S.No.211 of 1994 dated 25.10.2004 on the file of the District Munsif Court, Thuraiyur.

3.The second respondent herein has passed an impugned order through online which simply reflects that the request of the petitioner has been rejected. The petitioner's request for conducting a personal enquiry has not been acceded to. Further, it could be seen that no reasons had been assigned in the online order to enable the petitioner to file an appeal.



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4. In view of the above said facts, the order impugned in the writ petition is hereby set aside and the matter is remitted back to the file of the second respondent herein. The second respondent is directed to conduct personal hearing after giving notice to the petitioner as well as the third respondent herein. After hearing both the parties, the second respondent is directed to pass a reasoned order either granting or rejecting the request of the petitioner for grant of patta. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said deliberations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

06.11.2024

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



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R.VIJAYAKUMAR, J.

RJR

To

1.The Tahsildar,
Thuraiyur Taluk,
Trichy District.

2.The Zonal Deputy Tashildar,
Thuraiyur Taluk,
Trichy District.

W.P.(MD)No.26490 of 2024

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