WEB COPY

In the High Court of Judicature at Madras

Dated : 24.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.2057 of 2025 &
WMP.No.2412 of 2025

D.Lilly ...Petitioner

Vs

1.The District Collector,
Kancheepuram District.

2.The District Revenue Officer,
Uthiramerur Taluk,
Kancheepuram District.

3.The Tahsildar, Uthiramerur Taluk,
Kancheepuram District.

4.The Village Administrative Officer,
Manampathi Village, Uthiramerur
Taluk, Kancheepuram District. ...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 of the file of the 3rd respondent in proceedings 2024/0105/ 03/488996 dated 23.12.2024, quash the same as illegal, incompetent and without jurisdiction and further direct the 3rd respondent to sub division and issue patta in name of the petitioner as per registered sale

https://www.mhc.tn.gov.in/judis

WEB COPY

deed in document No.51/1992 dated 29.4.1992.

For Petitioner : Mr.B.Vincent
For Respondents : Mr.A.Selvendran, SGP

ORDER

Aggrieved by a non speaking one line rejection of the petitioner's request for subdivision patta transfer in her name in respect of the property measuring 11 cents out of 1.04 acres comprised in survey No.426/2B3, Mananpathi Village, Uthiramerur Taluk, Kancheepuram District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The case of the petitioner is that she acquired the subject property pursuant to the Will dated 29.4.1992 registered as doc.No. 51 of 1992 on the file of the Sub-Registrar, Uthiramerur executed by her father. Thereafter, pursuant to the directions of this Court in W.P.No.7043 of 2024 dated 19.3.2024, the subject property was surveyed and a report dated 12.8.2024 was issued. Subsequently, the petitioner made an online application to the third respondent on 27.11.2024 for subdivision patta transfer in her name. However, the

https://www.mhc.tn.gov.in/judis

WEB COPY

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*
426/2B3B	*Encroachment*

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 order has come to be passed.

7. Hence, the writ petition is allowed, the impugned order is set aside and the matter is remitted back to the third respondent, who shall consider the application of the petitioner dated 27.11.2024 afresh, afford an opportunity of personal hearing to the petitioner and thereafter pass orders within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, the connected WMP is closed.

https://www.mhc.tn.gov.in/judis

WEB COPY

24.1.2025

WEB COPY

P.T.ASHA,J

RS

To
1.The District Collector,
Kancheepuram District.

2.The District Revenue Officer,
Uthiramerur Taluk,
Kancheepuram District.

3.The Tahsildar, Uthiramerur Taluk,
Kancheepuram District.

4.The Village Administrative Officer,
Manampathi Village, Uthiramerur
Taluk, Kancheepuram District.

WP.No.2057 of 2025&
WMP.No.2412 of 2025

24.1.2025

https://www.mhc.tn.gov.in/judis