



W.P.No.21018 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21018 of 2025

Kamala

... Petitioner

Vs.

1. The District Collector,
Salem District,
Salem – 01.
2. The District Revenue Officer,
Salem District Collector Office,
Salem.
3. The Tahsildar,
Edappadi Taluk Office,
Salem District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to transfer patta in petitioner's name separately in respect of petitioner land in Survey No.222/11, an extent about 0.46 cents, Aavaniperur Killmugam Village, Edappadi Taluk, Salem District and considering the petitioner's representation dated 22.03.2022 and direct the respondents to take action on the report of Revenue Inspector Edappadi, enquiry report dated 02.02.2023.



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For Petitioner : Mr.R.K.Gandhi
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to act upon the representation submitted by petitioner on 22.03.2022 and to take action on the enquiry report of Revenue Inspector, Edappadi dated 02.02.2023.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that she had purchased the property comprised in Survey No.222/11 measuring an extent of 0.46 cents situated at Edappadi Taluk, Aavaniperur Killmugam Village from Perumal, Narayanan and Krishnan vide Document No.979 of 1978 registered on the file of Sub Registrar Office, Edappadi. It is stated that the property comprised in Survey No.222/11 was originally sub divided into Survey Nos.222/1 to 222/16.



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Petitioner is the owner of the property comprised in Survey No.222/11 measuring an extent of 0.46 cents. It is stated that one Patchaiyammal had sold the property belonging to petitioner comprised in Survey No.222/11 in favour of Arumugagounder. Petitioner thus filed a suit in O.S.No.72 of 1981 on the file of District Munsif Court, Tiruchencodu for declaration and possession of the property and the same was decreed in her favour vide order dated 26.04.1982. Petitioner approached third respondent to issue patta in her name. Thereafter, third respondent had issued patta in favour of her vide Patta No.1038. In the meantime, the said Arumugagounder executed a partition deed in favour of his legal heir vide Document No.2451 of 2013 before the Sub Registrar Office, Edappadi. Thereafter, third respondent without verifying any document, had issued joint patta in the name of Sengodan, Mani & Peraman @ Raja. Aggrieved by the same, petitioner submitted a representation on 22.03.2022 to issue / transfer patta in her name in respect of the property comprised in Survey No.222/11. Since the same was not acted upon, the present writ petition has been filed.

4. At the outset, it was submitted by learned Special Government



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Pleader for respondents that the representation dated 22.03.2022 made by petitioner would be considered and appropriate orders would be passed after issuing notice to petitioner and the persons whose names are available in patta within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioner.

5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the concerned respondent to consider the representation made by petitioner on 22.03.2022 seeking transfer of patta in respect of Survey No.222/11 and pass appropriate orders on its own merits and in accordance with law within a period sixteen weeks from the date of uploading of the web copy without waiting for the receipt of certified copy, after affording reasonable opportunity of hearing to petitioner, Sengodan, Mani & Peraman @ Raja and any other interested parties, if any. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the



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case on its own merits and in accordance with law.

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6. Accordingly, the Writ Petition stands disposed of. No costs.

17.06.2025

NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

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MOHAMMED SHAFFIQ, J.

vji

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