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W.P.No.18600 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.18600 of 2025
and W.M.P.No.20854 of 2025

S.Jayakumari

... Petitioner(s)

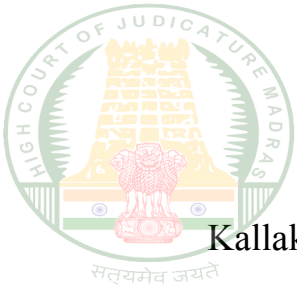
Vs.

1.The Tahsildar,
Kallakurichi,
Kallakurichi District.

2.The Zonal Deputy Tahsildar,
Kallakurichi,
Kallakurichi District.

...Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Koppu.No.2024/0103/33/398784 dated 11.12.2024 quash the same and consequently directing the 1st respondent herein to transfer the Patta bearing No.668 in Survey Nos.64/2B, 64/3, 65/3, 65/2, 77/3A and 77/3B properties situated at Siruvangur Village,



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Kallakurichi Taluk and District based on the "Will" dated 15.04.2012

within a reasonable time to be fixed by this Hon'ble Court.

For Petitioner(s) : Mr.P.Rajavel

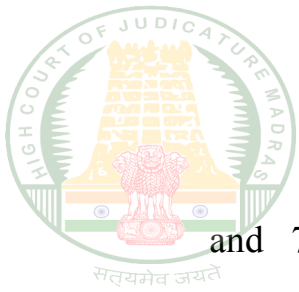
For Respondent(s) : Mr.A.Selvendran for R1 & R2
Special Government Pleader

ORDER

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

2.The present writ petition is filed challenging the order passed by the 2nd respondent in Koppu.No.2024/0103/33/398784 dated 11.12.2024 to quash the same and consequently direct the 1st respondent to transfer the Patta bearing No.668 in respect of properties comprised in S.Nos.64/2B, 64/3, 65/3, 65/2, 77/3A and 77/3B situated at Siruvangur Village, Kallakurichi Taluk and District based on the "Will" dated 15.04.2012 within a reasonable time to be fixed by this Court.

3.It is submitted by the learned counsel for the petitioner that petitioner's father-in-law is the absolute owner of land measuring an extent of 3.30 acres comprised in S.Nos.64/2B, 64/3, 65/3, 65/2, 77/3A



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and 77/3B properties in Patta No.668 situated at Siruvangur Village,
Kallakurichi Taluk and District. It is further submitted by the learned

counsel for the petitioner that petitioner's request for transfer of patta was rejected on the premise that the above request was not supported by relevant title documents/deeds. In any view, learned counsel for the petitioner submitted that the order passed by the 2nd respondent is a non speaking order and the same has been passed without putting the petitioner on notice, thereby denying petitioner any opportunity to explain/put forth her case. Aggrieved by the same, the petitioner has come before this Court.

4.On this being pointed out, learned Special Government Pleader submitted that the matter may be remitted back to 1st respondent respondent and they would reconsider and pass appropriate orders in accordance with law within a time frame to be fixed by this Court.

5.In view thereof, the Writ Petition stands disposed of with a direction to the 1st respondent to reconsider the matter and pass orders afresh, after affording reasonable opportunity of hearing to the petitioner and any other interested party/rival claimants within a period of 12 weeks



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from the date of receipt of a copy of this order. It is made clear that this

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Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

05.06.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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To

- 1.The Tahsildar,
Kallakurichi,
Kallakurichi District.
- 2.The Zonal Deputy Tahsildar,
Kallakurichi,
Kallakurichi District.



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MOHAMMED SHAFFIQ, J.

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