

W.P. No.23923 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23923 of 2025

R.Ganesan

... Petitioner

Vs.

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Tiruchengode Revenue Division,
Paramnathivelur Road,
Tiruchengode,
Namakkal District.

3.The Tahsildar,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.

4.The Village Administrative Officer,
Kumarapalayam Agraharam Village,
Kumarapalayam,
Tiruchengode Taluk,
Namakkal District.

5.Kanchanamala

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 particularly respondent No.2 to cancel the transfer of patta issued on 03.10.2024 made in proceedings TR No.2024/015309095199 passed by the third respondent and issue the fresh transfer of patta in the existing legal heirs based on the representation dated 05.06.2025 to secure the ends of justice and pass orders.

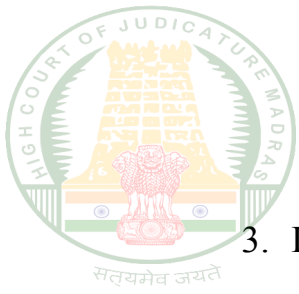
For Petitioner(s) : Mr.M.Ramalingam

For Respondent(s) : Mr.P.Sathish
Additional Government Pleader
for R1 to R4

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the Respondent 5 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, directing the respondents 1 to 4 particularly, respondent No.2 to cancel the transfer of patta issued on 03.10.2024 by the third respondent in proceedings TR No.2024/015309095199 and issue fresh patta to the existing legal heirs, based on the representation dated 05.06.2025.



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3. It is submitted by the learned counsel for the petitioner that the petitioner's father owned land comprised in Survey No.54/0 and Old Survey No.569/P, measuring about 5220 sq.ft. situated at No.122A, Kallathottam, Kumarapalayam Agraharam Village, Kumarapalayam. After the demise of his father, the fifth respondent herein (sister of the petitioner), applied for transfer of patta in the names of petitioner, fifth respondent, deceased mother Sarojini and pre deceased sister, Vinothini. The third and fourth respondents, without verifying the present legal heirs, issued patta in TR No.2024/015309095199 in the names of all the above mentioned legal heirs, including the deceased legal heirs. Hence, the petitioner submitted a representation dated 05.06.2025 to the respondents 1 to 4 seeking cancellation of said patta. However, the said representation was not considered by the official respondents till date. Hence, the petitioner has filed the present writ petition.

4. At the outset, it was submitted by the learned Additional Government Pleader for respondent 1 to 4 that the representation dated 05.06.2025, made by petitioner would be considered and appropriate orders would be passed within a time frame to be fixed by this Court, after issuing notice and hearing the petitioner, 5th respondent and any other legal heirs/interested parties, which was agreed to by the learned counsel for petitioner.



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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 respondents 1 to 4, to consider the representation dated 05.06.2025 on its own merits and pass appropriate orders in accordance with law, after issuing notice and affording reasonable opportunity of hearing to the petitioner, 5th respondent, and any other legal heirs/interested parties, within a period of twelve (12) weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

02.07.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn



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To:

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MOHAMMED SHAFFIQ, J.

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