From

Thiru. Jatindra Nath Swain, I.A.S.,
Principal Secretary / Commissioner of
Survey and Settlement,
'Survey House', Chepauk,
Chennai – 600 005.

To

All District Collectors

CIRCULAR

Rc. K8/12233/17 (Sy) dtd: 25.05.2017

Sub: Online Patta Transfer System – property received through Hiba– instructions for processing the applications and issuing necessary orders - reg

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An instance has been brought to notice by an aggrieved petitioner that patta transfer application in respect of property received by him by way of 'Hiba' has been rejected by a Tahsildar.

In this regard, I am to state that 'Hiba' is a form of valid gift under Islamic law. Also, a 'Will' need not be registered as per Transfer of Property Act, 1882. Such cases may be first inquired into-in detail by Tahsildar with due diligence and pass speaking orders after inquiring both the parties of transaction if they are alive or witnesses. Later on, this order may be uploaded through CSC and records may be corrected as per the speaking order.

The receipt of this circular may be acknowledged.

Sd/-Jatindra Nath Swain
Principal Secretary/ Commissioner of
Survey and Settlement

Copy to:

1. The Principal Secretary/Commissioner of Land Administration
2. The Joint Commissioner/Land Administration.
3. The Joint Director – CSO
4. All Regional Deputy Directors of Survey and Land Records.
5. All Assistant Directors of Survey and Land Records.

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