



W.P.(MD)No.1827 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.1827 of 2021

Raja Periyasamy. K,

... Petitioner

Vss

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Trichy..

2. The Tahsildar,
Trichy East Taluk Office, Trichy..

3. The Head Town An Surveyor,
Trichy East Taluk Office, Trichy..

4. The Town Surveyor,
Ariyamangalam Division, Palakarai,
Trichy District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents herein to conduct the field inspection in respect of petitioners property comprise in Old S.No.148/2 part after UDR Survey New T.S.No.173/1 D situated at 2nd St., Lakshmiapuram, Ariyamangalam Division, Trichy East Taluk, Trichy, and



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correct the wrong entries in the revenue records on the basis of his representation dated 28-12-2020 within the time stipulated by this Court.

For Petitioner :M/s.B.Jameelarasu
For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 28.12.2020 and to conduct the field inspection in the subject property at S.No.173/1 and correct entries made in the revenue records.

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

3.The case of the petitioner is that he became owner of the subject property by virtue of a registered sale deed registered as Doc. No.1358/16. According to the petitioner, the revenue records stood in the name of the vendor, whereas the property has now been categorized as a road. This



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mistake was sought to be rectified by way of making representation to the respondents. Since the same was not considered, the present writ petition has been filed by this Court.

4. This Court has carefully considered the submissions and the materials available on record.

5. The petitioner has brought to the notice of this Court three documents to show that the patta stood in the name of his vendor.

(i) The first document is the entry in the town survey field register, where S.F.No.72 old S.No.173 is shown as sarkar poramboke and it is stated to be in the possession of the vendor of the petitioner and it has been utilized as vacant plot (காலி மனை) ;

(ii) The second document that has been placed reliance upon is the manai vaari thoraya patta that was given in the name of the vendor of the petitioner by the Tahsildar in Patta No.2282, ; and

(iii) The third document to which reliance is placed is the certificate of extract from the town survey land register which once again



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shows that the subject property is categorized as sarkar poramboke.

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According to the petitioner, it is a mistake to categorize the property as sarkar poramboke. According to the learned Special Government Pleader, even at the time when the petitioner had purchased the property, it was categorized only as sarkar poramboke and there was no subsequent entry as claimed by the petitioner.

6. In the considered view of this Court, the documents that have been placed before this Court do not clearly established that the property in question originally belonged to the vendor of the petitioner in his individual capacity. It is only shown as a property, which was occupied by the vendor of the petitioner and it was always categorized only as sarkar poramboke. This was the status even when the property was purchased by the petitioner in the year 2016. In view of the same, just because a thoraya patta is available in the name of the vendor of the petitioner, that does not mean that the categorization of the property as a sarkar poramboke is a mistake. A mistake can be corrected only if it had taken place after the purchase of the



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property by the petitioner. However, if the property is categorized as a sarkar poramboke even when the property was purchased by the petitioner, there is no question of making any correction in the survey records. In any case, such correction can never be made by any of the respondents.

7. In view of the above discussions, the relief sought for by the petitioner cannot be granted. Accordingly, the writ petition stands dismissed. No costs.

11.10.2023

NCC :Yes/No

Index :Yes/No

RR

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