



W.P.(MD) No.6950 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.6950 of 2020

Rajarajeshwari,
Hereditary Trustee,
Ramanathapuram Samasthanam Chathiram,
Ramanathapuram.

.. Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram.

3.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to correct all the revenue records from the name of Government poramboke to the name of the petitioner in respect of Survey No.298, Mandapam Village, Ramanathapuram Taluk and District within a time limit that may be stipulated by this Court.



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For Petitioner : Mr.J.Barathan

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The petitioner seeks a mandamus to the respondents to correct the revenue records from the name of Government poramboke to the name of the petitioner in respect of Survey No.298, Mandapam Village, Ramanathapuram Taluk and District.

2. It is the case of the petitioner that the aforesaid property belongs to Ramanathapuram Samasthanam and she is the Hereditary Trustee of the Ramanathapuram Samasthanam. During the computerisation of the revenue records, the property has been mistakenly recorded as 'Government poramboke'. On coming to know about this error, the then Trustee approached the second respondent to correct the revenue records. In fact, in the year 1986, there was a suit between the lessee of the property and the then Trustee. The suit in O.S.No.280 of 1984 was decreed in favour of the Ramanathapuram Samasthan by the District



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Munsif, Ramanathapuram on 24.11.1986 and the appeal in A.S.No.43 of 1987 filed by the lessee before the Additional District Judge, Ramanathapuram, had also failed. On the basis of the representation of the then Trustee, the second respondent by order dated 24.10.2009 directed the third respondent to correct the revenue entries. Thereafter, the revenue records were corrected and a computerised patta bearing Patta No.2393 was issued for S.No.298 on 12.01.2010. However, all of a sudden in the year 2016, the revenue records once again showed the property as a 'Government poramboke'. Therefore, a representation was submitted by the Manager of the Ramanathapuram Samasthanam to correct the entry. Several representations to the second and third respondents did not yield any result and a lawyer's notice dated 04.09.2018 also evoked no response. Therefore, the petitioner has come forward with the present writ petition.

3. A perusal of the records filed clearly indicates that the mistake in the UDR had been corrected and the patta had been restored to the name of the original owner in the year 2010. Thereafter, absolutely there



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is no document or proceedings put forward by the respondents to indicate as to why once again the revenue entries in respect of the above survey number showed the property as a Government poramboke. No counter has been filed in this regard. Therefore, in the light of the documents produced on the side of the petitioner particularly the revenue record as well as the order of the second respondent dated 24.10.2009 pursuant to which the patta had been rectified on 12.01.2010 by the third respondent, the respondents are directed to forthwith correct the entry, remove the classification as Government poramboke and include the name of the petitioner Ramanathapuram Samasthanam as done earlier.

4. With the above observations and direction, this Writ Petition is disposed of. No costs.

23.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr



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P.T.ASHA, J.

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