



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.08.2015

Coram

THE HONOURABLE MR. JUSTICE R. SUBBIAH

W.P. (MD) .No.14840 of 2015

P.Karuppusamy

:Petitioner

vs.

1.The District Collector,Office of District Collectorate,
Madurai, Madurai District.

2.The District Revenue Officer,District Revenue Office,
Madurai, Madurai District.

3.The Tahsildar,Othakadai,
Madurai,Madurai District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondents 1 to 3, to conduct enquiry and to rectify the errors in the revenue records and consequently to grant patta in favour of the petitioner for the land in Survey No.65/5, situated at Karseri, Sakkimangalam (Post), Silaiman (Via), Madurai East, madurai District, within the time stipulated by this Court.

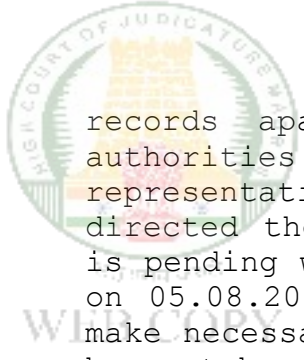
For Petitioner :Mr.T.Lajapathi Roy

For Respondents :Mr.S.Kumar Addl. Govt. Pleader

O R D E R

The Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3, to conduct an enquiry and to rectify the errors in the revenue records and consequently to grant patta in favour of the petitioner for the land in Survey No.65/5, situated at Karseri, Sakkimangalam (Post), Silaiman (Via), Madurai East, Madurai District, within the time stipulated by this Court.

2. The case of the petitioner is that he is residing in Survey No.65/5, situated at Karseri, Sakkimangalam (Post), Silaiman (Via), Madurai East, Madurai District, right from the year 1948. The said property, measuring to an extent of 21 cents, originally belonged to the petitioner's father. After his demise, the petitioner has been in possession and enjoyment of the same for the past 67 years. In the year, 1987-1988, at the time of resurvey, the respondent No.3, erroneously provided patta to other person viz., Chinnaalu, for the land in Survey No.65/5, situated at Karseri, Sakkimangalam (Post), Silaiman (Via), Madurai East, Madurai District, which is in his possession from the year 1948 onwards. The respondent themselves had re-surveyed his land without any prior notice and they themselves had changed the patta to the other name without considering the 'A' register, Old Patta Pass Book, village Adanga. Since the petitioner's name was entered in all the revenue



records apart from patta, the petitioner approached the respondent authorities to grant patta in his name. Earlier, the petitioner made a representation to the Respondents on 30.11.2011 and the respondent No.2, directed the respondent No.3, to take appropriate action. But the same is pending without any process before the 3rd respondent. The petitioner, on 05.08.2015 made another representation to the respondents 1 to 3, to make necessary change in the revenue records and issue patta but the same has not been considered.

3. I have heard the submissions made on either side and perused the materials available on record.

4. When the matter is taken up for consideration, the learned Government Advocate vehemently opposed to entertain the writ petition stating that as on date, the patta is standing in the name of one Chinnalu but he was not made as a party to the writ petition.

5. At this juncture, the learned counsel for the petitioner submitted that a direction may be given to the 3rd respondent to pass appropriate orders on his representation, after affording an opportunity of being heard to the said Chinnalu.

6. Considering the submissions made on either side, this Court directs the petitioner to send a fresh representation to the 3rd respondents along with a copy of this order, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, 3rd respondent is directed to consider and pass appropriate orders on the same, on merits and in accordance with law, within a period of eight weeks, thereafter, after affording an opportunity of being heard to the said Chinnalu.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

MPK

To

1.The District Collector, Office of District Collectorate,
Madurai, Madurai District.

2.The District Revenue Officer, District Revenue Office,
Madurai, Madurai District.

3.The Tahsildar, Othakadai, Madurai, Madurai District.

+1CC to Mr.T.Lajapathi Roy ADV.SR.No.47495

+1CC to Spl.Government Pleader SR.No.47778

GJM/RR/SKS/SARJ-1.9.15-2P-6C