



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.21670 of 2015

1.Senthil Arumugam,
S/o.Sivasubramanian,
Through his power agent,
Vanamalai.

2.Maharajan ... Petitioners

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Commissioner,
Tirunelveli Corporation, Tirunelveli.

3.The Assistant Commissioner,
Tirunelveli Corporation,
Tirunelveli.

4.The Tahsildar,
Tirunelveli Town,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to correct the mistake and make entry of the petitioner's grandfather name Nellainayagampillai in respect of the property which is situated in Town Survey No.600/1 subdivision 61A in Melaveeraragapuram Village, Tirunelveli District by considering the petitioner's representation dated 28.10.2015.

For Petitioners : Mr.R.Satish

For RR 1 & 4 : Mr.K.Guru

Additional Government Pleader

For RR 2 & 3

: Mr.Aayiram K.Selvakumar
Government Advocate

ORDER

The petitioners seek for a Mandamus directing the respondents to correct the mistake and make entry of the name of grandfather of Senthil Arumugan viz., Nellainayagampillai in respect of the property situated in Town Survey No.600/1 subdivision 61A in Melaveeraragapuram Village, Tirunelveli District by considering his representation dated 28.10.2015.

2. Mr.K.Guru, learned Additional Government Pleader takes notice for the respondents 1 and 4 and Mr.Aayiram K.Selvakumar, learned Government Advocate takes notice for the respondents 2 and 3.

3. It appears that the petitioners claim that the property at Survey No.600/1 subdivision 61A in Melaveeraragapuram Village, Tirunelveli District, belongs to them as a private property. On the other hand, it is the claim of the Revenue Department that such property is a Government poramboke land and therefore, the petitioners cannot be given any patta in respect of such land.

4. When that being the rival contention of the Revenue Department, the petitioners cannot make an application before the very same Department and seek for correction of the entry made in the revenue records in respect of the above said land, unless and until, they go and establish before the competent civil Court, their right and title over the said property. Without doing so, they cannot seek for such correction in the revenue records by making a representation, as sought for in this Writ Petition. Therefore, I consider that the present representation made by the petitioners cannot be considered, as the same is highly premature, since they have to establish their right and title over the said property before the competent civil Court. Granting such liberty to the petitioner, this Writ Petition is dismissed as highly premature. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

ps

To

1.The District Collector,
Tirunelveli District,



2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli.

3.The Assistant Commissioner,
Tirunelveli Corporation,
Tirunelveli.

4.The Tahsildar,
Tirunelveli Town,
Tirunelveli District.

+1 cc to Mr.Aayiram K.Selvakumar,Advocate Sr No.69557
+1 cc to M/S.Polax Legal Solutions,Advocate Sr No.69513
+1 cc to The Special Government Pleader Sr No.69663

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