

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12932 of 2016

Palani Ammal

.. Petitioner

Vs.

1. The District Collector,
Collectorate, Salem District.
2. The District Revenue Officer, Salem.
3. The Revenue Divisional Officer,
Attur Taluk, Salem District.
4. The Tahsildar,
Attur Taluk and Post, Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third and fourth respondents herein to consider the petitioner's representation, dated 11.01.2016 and reminder representations, dated 15.02.2016 and 14.03.2016 and to rectify and correct the mistake in S.No.218/6 to the extent of 0.52.5 acres instead of 0.40.50 as per 'A' Register in computer Chitta, which is situated in Narasingapuram Village, Attur Taluk, Salem District, belonging to the petitioner's property.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.V.S.Ramesh, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the third and fourth respondents herein to consider the petitioner's representation, dated 11.01.2016 and reminder representations, dated 15.02.2016 and 14.03.2016 and to rectify and correct the mistake in S.No.218/6 to the extent of 0.52.5 acres instead of 0.40.50 as per 'A' Register in computer Chitta, which is situated in Narasingapuram Village, Attur Taluk, Salem District, belonging to the petitioner's property.

2. It is the case of the petitioner that the above said property originally belongs to her father-in-law Nallappan through D-Form patta and he was in possession and enjoyment of the same throughout his lifetime. The petitioner's husband Pandiyan died on 14.10.1982 and her father-in-law died on 06.03.1993. After the death of her father-in-law, the petitioner is in possession and enjoyment of the said property and all the Revenue Records stand in the name of the petitioner's father-in-law. It is her further case that as per Village A-Register, the extent of property in the said survey number is mentioned as 0.52.5 acres instead of 0.40.50 acres. For her personal need, when she obtained computer Chitta, she found that instead of 0.40.50 acres, the extent of property is wrongly mentioned as 0.52.5 acres. Hence, she submitted a representation, dated 11.01.2016 to the respondents, followed by reminder representations, dated 15.02.2016 and 14.03.2016. Though those representations were received, no action is taken. Hence, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the third and fourth respondents to consider the said representation of the petitioner, dated 11.01.2016, followed by reminder representations dated 15.02.2016 and 14.03.2016, conduct enquiry, pass appropriate orders and dispose of the said representations, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the third and fourth respondents to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.
cs

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector, Collectorate, Salem District.
2. The District Revenue Officer, Salem.
3. The Revenue Divisional Officer, Attur Taluk, Salem District.

4. The Tahsildar, Attur Taluk and Post, Salem District.

+ 1 cc to M/s.A.Rajakumar, Advocate SR 21643

+ 1 cc to Govt.Pleader SR 22214

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