

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.11.2016

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.2803 of 2013

R.Kuttaiyan

.. Petitioner

Vs

- 1.The District Revenue Officer,
O/o the District Collectorate,
Villupuram District, Villupuram.
 - 2.The Revenue Divisional Officer,
Kallakurichi Division, Kallakurichi.
 - 3.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi.
 - 4.Bangi
- .. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 3rd respondent to pass order in the light of enquiry conducted by 2nd respondent in Mu.Mu.(A4)1539-07 dated 23.10.2009 as to restoration of patta in the petitioner's name with respect to agricultural land measuring about 40 cents in s.No.30/5, situated at Latchiyam Village, Kallakurichi Taluk, Villupuram District.

For Petitioner	:	Mr.R.Kumaravel
For R1 to R3	:	Mr.R.Govindasamy
		Spl.Govt.Pleader
For R4	:	No Appearance

W E B C O P Y
O R D E R

The petitioner sought for a direction to the third respondent to pass orders in the light of the enquiry conducted by the second respondent on 23.10.2009 for restoring the patta in his name with regard to the lands comprised in Survey No.30/5 (3-/5A) at Latchiyam Village, Kallakurichi Taluk, Vilupuram District.

2.According to the learned counsel for the petitioner, his father has purchased the agricultural lands through a registered

Sale Deed bearing No.408 of 1958 and after his demise, the petitioner and his brother having possession and enjoyment of the same. When the petitioner had sought for issuance of joint patta, it was realized that an extent of 40 cents was in the name of 4th respondent through patta No.261. Since the entry was apparently wrong, the petitioner sent a representation seeking deletion of the 4th respondent's name in the joint patta. The second respondent after conducting an enquiry had held that the registration of the patta for 40 cents stands in the name of the petitioner's father and consequently directed the 3rd respondent to take steps to effect changes in the revenue records. Since no effective steps have been taken by the third respondent, the petitioner is before this Court.

3.Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondents on written instructions would submit that the third respondent is not a competent authority to effect any changes in the revenue records.

4. In the written instructions, it is stated that on the directions of the Revenue Divisional Officer, Kallakurichi, the issue was enquired and records prior to UDR were verified and a report was already submitted to the Revenue Divisional Officer for further action.

5. Under such circumstances, the third respondent is directed to pass appropriate orders on the basis of the enquiry conducted by the second respondent for registration of patta in the petitioner's name for the lands comprised in Survey No.S.No.30/5 (3-/5A) at Latchiyam Village, Kallakurichi Taluk, Vilupuram District, within a period of six weeks from the date of receipt of a copy of this order.

5. In view of the above, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Revenue Officer,
O/o the District Collectorate,
Villupuram District, Villupuram.
- 2.The Revenue Divisional Officer,
Kallakurichi Division, Kallakurichi.

3.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi.

+1cc to Mr.R.Kumaravel, Advocate, S.R.No.63748
+1cc to the Government Pleader, S.R.No.64348

nrjk(CO)
md(23/11/2016)

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