



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22689 of 2016

K.PALRAJ

... Petitioner

Vs.

1 THE DISTRICT COLLECTOR
TUTICORIN DISTRICT, TUTICORIN.

2 THE DISTRICT REVENUE OFFICER
TUTICORIN, TUTICORIN DISTRICT.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 30.06.2016 and consequently issue Patta in the name of the petitioner along with other legal heirs of the petitioners father to the property on extent of 91 cents bearing Survey No.241/9 at Ayyaneri Village in Kovilpatti Taluk of Tuticorin District.

For Petitioner : Mr.R.Pandi Maharaja

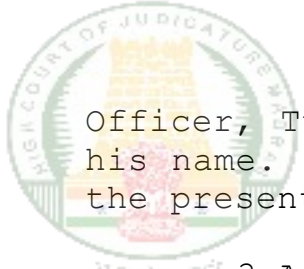
For Respondents : Mr.V.Muruganandham

Additional Govt. Pleader

ORDER

The writ petition has been filed for a direction, directing the 2nd respondent to consider the representation of the petitioner dated 30.06.2016 and consequently issue patta in the name of the petitioner along with other legal heirs of the petitioner's father to the property to an extent of 91 cents bearing Survey No.241/9 at Ayyaneri Village in Kovilpatti Taluk of Tuticorin District.

2. According to the petitioner, his father one Karuppasamy purchased a property from one Krishnasamy Naicker. After purchase, the petitioner's father tried to get a patta in his name. Subsequently, patta was issued in the name of the legal heirs of the above said Krishnasamy Naicker. Hence, the petitioner made an application before the District Revenue



Officer, Tuticorin to correct the said mistake and get a patta in his name. Since no order has been passed in the said application, the present writ petition has been filed.

3.A perusal of the affidavit and the typedset of papers, this Court is of the view that the Tahsildar is the only competent authority to correct the entries in the patta and the District Revenue Officer cannot do anything in this matter. Hence, the petitioner is directed to file an application before the Tahsildar, Kovilpatti, seeking for transfer of patta, within a period of four weeks from the date of receipt of a copy of this order. On such application being made, the Tahsildar, Kovilpatti is directed to consider the application and pass suitable orders, after issuing notice to the petitioner as well as other rival claimants, in whose names, the patta stand, within a period of six weeks thereafter.

4.Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1 THE DISTRICT COLLECTOR
TUTICORIN DISTRICT, TUTICORIN.

2 THE DISTRICT REVENUE OFFICER
TUTICORIN, TUTICORIN DISTRICT.

3.The TAHSILDAR, KOVILPATTI.

+1 cc to M/s.R.Pandi Maharaja, Advocate in SR.No.72965

+1 cc to The Special Government Pleader in SR.No.73230

VS

CSL/11.01.2017 :2P/6C

W.P (MD) No.22689 of 2016
25.11.2016