



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASANWrit Petition (MD) No.9899 of 2016

Selvi

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai.

4.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam,
Sivagangai District.

5.Karuppaiah

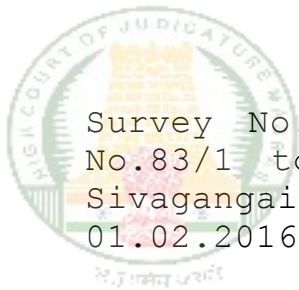
... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to issue necessary direction to the 2nd respondent to transfer the Patta, Chitta and Adangal in the petitioner's favour pertaining to the properties bearing Survey No.82/4 to an extent of 33 Cents Survey No.82/11 to an extent of 22 cents and bearing Survey No.83/1 to an extent of 12 Cents situated at Thiruppachethi Sivagangai District based on the petitioner's representation dated 01.02.2016 made to the 1st respondent.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.V.Muruganandam,
Additional Government Pleader.**ORDER**

This writ petition has been filed for the issuance of a writ of mandamus, to direct the first respondent to issue necessary direction to the second respondent to transfer Patta, Chitta and Adangal in favour of the petitioner pertaining to the properties bearing Survey No.82/4 to an extent of 33 Cents,



Survey No.82/11 to an extent of 22 cents, and bearing Survey No.83/1 to an extent of 12 Cents situated at Thiruppachethi, Sivagangai District based on the petitioner's representation dated 01.02.2016.

2. According to the petitioner, she has filed an application before the fourth respondent to issue joint patta in favour of the petitioner and his brother. According to her, the mother of the petitioner one Lakshmiammal purchased the properties in the year 1976-1977 and she died on 19.12.2007. After the demise of her mother, the petitioner and her brother alone are the legal heirs. Hence, she has made an application before the Tahsildar to issue joint patta in the name of the petitioner. Since no final order has been passed, the present writ petition has been filed.

3. When the matter came up for hearing, learned Government Advocate submitted that during UDR survey in the year 1985, patta has been changed. Hence, the fourth respondent Tahsildar has no power to issue patta and the remedy is before the District Revenue Officer, Sivagangai, who is the competent authority to change the entry during UDR survey.

4. In the above circumstances, the petitioner is directed to file an application before the District Revenue Officer, Sivagangai for the above said relief within a period of four weeks from the date of receipt of a copy of this order. On receipt of such application, the District Revenue Officer, Sivagangai is directed to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks thereafter, after conducting enquiry and giving notice to all the parties concerned.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The District Revenue Officer,
Sivagangai District,
Sivagangai.



3.The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai.

4.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam,
Sivagangai District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.55177

Writ Petition (MD) No.9899 of 2016
22.09.2016

sms

SM/CK:03.10.2016:3P/6C