

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.06.2017

C O R A M

The Honourable Mr.JUSTICE M. GOVINDARAJ

W.P.No.15511 of 2017

G.Perumal

... Petitioner

Vs.

1. The District Revenue Officer,
Dharmapuri District, Dharmapuri.
2. The Sub Collector/Revenue Divisional Officer,
Dharmapuri Revenue Division,
Dharmapuri, Dharmapuri District.
3. The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.
4. Murugesan

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the third respondent to rectify the mistakes and issue separate patta in the name of petitioner's mother namely Mrs.Kaliammal, Wife of Govinda Gounder in respect of property in S.No.135/2, Kendaiyanahalli Village, Pennagaram Taluk, Dharmapuri District based on his application dated 16.05.2017 within a stipulated time.

For Petitioner : Mr.M.R.Jothimanian
For Respondent : Mr.A.N.Thambidurai,
Special Government Pleader

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O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to rectify the mistakes and issue separate patta in the name of petitioner's mother, namely Mrs.Kaliammal, Wife of Govinda Gounder in respect of property in S.No.135/2, Kendaiyanahalli Village, Pennagaram Taluk, Dharmapuri District based on his application dated 16.05.2017, within a stipulated time.

2. The petitioner claims that he is the owner of the lands in Survey Nos.135/2, 778/4, 779/1, 136/4A, 134/2, 134/3 and 136/3 by deriving title to inherit from his father. However, it appears that one Murugesan, S/o.Ammasai, has claimed separate patta in Survey Nos.134 and 135/2 in patta number 119.

3. The grievance of the petitioner is that the third respondent has transferred the patta in favour of one Manimegalai and now, the said Murugesan has also been claimed title to the property without any valid right. The third respondent has ordered joint patta along with the said Murugesan/4th respondent herein. Aggrieved over the same, the petitioner has made an appeal to respondents 1 and 2.

4. As per the Patta Passbook Act, an appeal remedy is available before the Revenue Divisional Officer against the order of the Tahsidar.

5. The learned Special Government Pleader would submit that the petitioner has to approach the Revenue Divisional Officer for redressal of the grievance. In such circumstances, there shall be a direction, directing the petitioner to approach the Revenue Divisional Officer to prefer an appeal and in turn, the Revenue Divisional Officer is directed to dispose of the appeal, within a period of three months from the date of receipt of a copy of this order after giving notice to the fourth respondent and other connected parties.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The District Revenue Officer,
Dharmapuri District, Dharmapuri.
2. The Sub Collector/Revenue Divisional Officer,
Dharmapuri Revenue Division,
Dharmapuri, Dharmapuri District.

3. The Tahsildar,
Pennagaram Taluk,
Dharmapuri District.

+1cc to the Government Pleader, Sr. 43795
+1cc to Mr.M.R.Jothimanian, Advocate Sr. 43546

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PA (CO)
VR(10/074/2017)



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