

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED 20.09.2017
CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**W.P (MD) No.17684 of 2017**

Maragathammal

...Petitioner

Vs

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Revenue Divisional Officer,
Office of the Revenue Division Office,
Paramakudi, Ramanathapuram District.

3. The Tahsildar,
Taluk Office,
Kadaladi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the third respondent to carry out necessary corrections in the revenue records and issue a fresh patta in the Petitioner's land in S.No.159/5 and 159/7 (Old Phymas No.34) having an extent of 1.10 acres in Kondunallanpatti Village, Kadaladi Taluk, Ramanathapuram District based on her representation dated 7.9.2017.

For Petitioner : M/s.S.Bharathi
For Respondents : Mr.G.Muthukannan
Government Advocate

ORDER

The Petitioner seeks issuance of a Writ of Mandamus directing the third respondent to carry out necessary corrections in the revenue records and issue a fresh patta for the Petitioner's land in S.No.159/5 and 159/7 (Old Phymas No.34) having an extent of 1.10 acres in Kondunallanpatti Village, Kadaladi Taluk, Ramanathapuram District based on her representation dated 7.9.2017.

2. Mr. G. Muthukannan, learned Government Advocate takes notice for the respondents.



3. By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4. The Petitioner would claim that his grand-mother Vairayee Ammal owned 2.50 acres in S.Nos.159/5 and 159/7 in Kondunallanpatti, Thiruppathur, Kadaladi Taluk, Ramanathapuram District and she was also issued with patta. In the year 1983, a part of the land measuring an extent of 1.40 acres was sold by way of two registered sale deeds and the remaining extent of 1.40 acres is in the possession and enjoyment of the Petitioner.

5. The Petitioner would allege that in the revenue records, the description of the land has been mentioned as burial ground. Hence she gave a representation to the respondents on 7.9.2017 to rectify the said defect. Since no action has been taken, the Petitioner has come up with the present Writ Petition.

6. The learned Government Advocate appearing for the respondents would submit that there is no proof for submitting the representation. Hence if a fresh representation is given to the respondent concerned, it will be considered by the respondents within the time stipulated by this Court. The learned Government Advocate would also submit that the competent authority is the District Revenue Officer of Paramakudi. But the Petitioner has not given any representation to him and he was not impleaded as party-respondent in this Writ Petition.

7. Considering the above said submission made by the learned Government Advocate appearing for the respondents, the Petitioner is directed to give a fresh representation to the District Revenue Officer, Paramakudi by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the District Revenue Officer, Paramakudi is directed to consider the said representation on merits and in accordance with law and pass appropriate orders on the same, after giving notice to the Petitioner and other interested parties, if any, as expeditiously as possible, preferably within a period of four weeks therefrom.

8. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Revenue Divisional Officer,
Office of the Revenue Division Office,
Paramakudi, Ramanathapuram District.

3. The Tahsildar,
Taluk Office,
Kadaladi,
Ramanathapuram District.

+1cc to M/S. S.BHARATHI, Advocate, SR.No.79968.

+1cc to Special Government Pleader, SR.No.80392.

W.P(MD)No.17684 of 2017
20.09.2017

vsn

SDS/MR:KKR/SAR 2/03.10.2017/3P/6C