



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2017

CORAM:

WEB COPY

**THE HONOURABLE MR. JUSTICE R. MAHADEVAN**

W.P (MD) No.18610 of 2017

P.Arumugam

.. Petitioner

Vs.

- 1.The District Collector,  
Theni District, Theni.
- 2.The District Revenue Officer,  
Theni District, Theni.
- 3.The Revenue Divisional Officer,  
Periyakulam Division,  
Periyakulam, Theni District.
- 4.The Tahsildar,  
Bodinayakanur Taluk,  
Theni District.
- 5.The Revenue Inspector,  
Bodinayakanur Taluk,  
Theni District.
- 6.The Village Administrative Officer,  
Kurangani Panchayat, Kurangani,  
Theni District.
- 7.The Sub Registrar,  
Bodinayakanur Sub Registrar Office,  
Bodinayakanur, Theni 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 respondents to survey the petitioner's land and scrutinized all the relevant Revenue Records and issue a Patta covering the total land of 8.54 acres cents comprised in Survey No.621 at Kottakudi Village, Bodinayakanur Sub Division, Periyakulam Registration, Theni District, as per the parental patta known as bymass 95, on the basis of representation, dated 13.09.2017, within the stipulated period as may be fixed by this



For Petitioner : Mr.D.Suresh Kumar

For Respondents : Mr.M.Alagathevan,  
Special Government Pleader for R1 to R6

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ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to survey the petitioner's land admeasuring 8.54 acres, situates in Survey No.621, Kottakudi Village, Bodinayakanur Sub Division, Periyakulam Registration District, Theni District and issue a patta, based on his representation, dated 13.09.2017, within the time stipulated by this Court.

2.Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

4.Heard both sides.

5.The case of the petitioner is that the petitioner and his brother Subburaj purchased a land to an extent of 8.54 acres, situates in Survey No.621, Kottakudi Village, Bodinayakanur Sub Division, Periyakulam Registration District, Theni District and in the sale deed, the document writer has wrongly shown the total extent as 1.27 acres instead of 8.54 acres and the fourth respondent also issued patta for the same. Therefore, the petitioner made a representation dated 13.09.2017 to the respondents to survey his land and issue patta for the total extent of 8.54 acres. Since the same has not been considered so far, the petitioner is before this Court.

6.The learned Special Government Pleader appearing for the respondents submits that the petitioner and his brother are having ownership over an extent of 1.27 acres only and therefore the prayer sought for by the petitioner cannot be considered.

7.Refuting the said submission made on the side of the respondents, the learned counsel for the petitioner submits that the Additional Assistant Settlement Officer, Madurai had affirmed that Survey No.621 contains the entire land of 8.54 acres, vide his proceedings, dated 02.02.1961 and the petitioner is ready to produce the revenue records with regard to the same, before the fourth respondent.

<https://hcservices.ecourts.gov.in/> So, considering the rival submissions made on either side, this Court, without going into the merits of the petitioner's claim, directs the petitioner to produce all the revenue records



in support of his contention before the fourth respondent within a period of four weeks from the date of receipt of a copy of this order and on receipt of the same, the fourth respondent is directed to consider the representation of the petitioner dated 13.09.2017 along with the said revenue records, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

9.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The District Collector,  
Theni District, Theni.
- 2.The District Revenue Officer,  
Theni District, Theni.
- 3.The Revenue Divisional Officer,  
Periyakulam Division,  
Periyakulam,Theni District.
- 4.The Tahsildar,  
Bodinayakanur Taluk,  
Theni District.
- 5.The Revenue Inspector,  
Bodinayakanur Taluk,  
Theni District.
- 6.The Village Administrative Officer,  
Kurangani Panchayat, Kurangani,  
Theni District.
- 7.The Sub Registrar,  
Bodinayakanur Sub Registrar Office,  
Bodinayakanur, Theni District.

+One cc to The Special Government Pleader, SR.No.82950

smn

RL/9C/3P/JC/SAR2/31/10/2017

ORDER MADE IN