

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13574 of 2018

B.Ramakrishnan

... Petitioner

-vs-

1.The Sub-Collector/Revenue Divisional Officer
Mettur Revenue Division
Mettur Dam-1
Salem District

2.The Tahsildar
Mettur Taluk
Mettur Dam
Salem District

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to rectify the misktaes and issue separate patta in the name of petitioner and other siblings in respect of property in T.S.No.2/3, Ward 'D' Block 1 Mettur Town, Mettur Taluk, Salem District based on the report of the second respondent dated 21.08.2009 within a stipulated time.

For Petitioner :: Mr.M.R.Jothimanian

For Respondent :: Ms.P.Rajalakshmi
Addl. Govt. Pleader for R1 and 2

ORDER

The petitioner is a son of Late M.K.Baradhan, who was assigned a land in T.S.No.2/3, Block No.60, Mettur Town, having an extent of 3052 sq.ft in Mettur Town, Mettur Taluk, Salem District vide assignment order dated 28.07.1966 issued by the Sub-Collector/Revenue Divisional Officer, Mettur Revenue Division.

2.Learned counsel appearing for the petitioner submitted that from the date of assignment granted by the first respondent, the petitioner has been in possession and enjoyment of the said property. While so, when resurvey of the Mettur

Town was conducted in the year 2009, Petitioner S.No.2/3 has been changed as Town Survey No.2/2 and the petitioner's property has not been shown in the Town Survey Register either as T.S.No.2/3 or as T.S.No.2/1. Thereafter, no such survey number as 2/3 in the Town Survey Register has been made. It is further stated that the petitioner's father made an application before the 2nd respondent to rectify the said mistake done while doing the re-survey of the Mettur Town and the same was forwarded to the Revenue Inspector for conducting enquiry. Accordingly, an enquiry was conducted and a report has been sent by the second respondent with the recommendation to the first respondent on 21.08.2009. However, till date the petitioner's representation dated 26.03.2018 has not been considered and the petitioner has been visiting the office of the second respondent without any useful response.

3. At this stage, learned Additional Government Pleader appearing for the respondents sought two weeks time to consider the representation of the petitioner on the basis of the report submitted by the second respondent.

4. On a perusal of the report dated 21.08.2009 and recommendation of the second respondent it is clear that a mistake, as complained by the petitioner, has occurred. Therefore, the respondents are hereby directed to rectify the mistake and issue separate patta in the name of the petitioner and other siblings within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

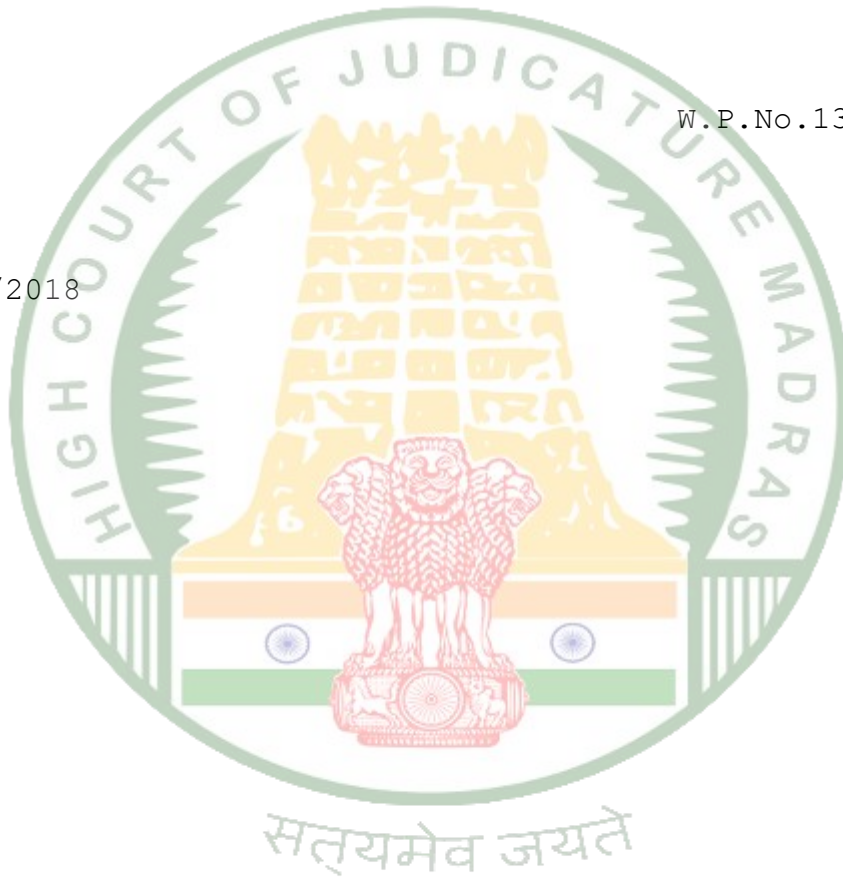
- 1.The Sub-Collector/Revenue Divisional Officer
Mettur Revenue Division
Mettur Dam-1
Salem District.

2.The Tahsildar,
Mettur Taluk,
Mettur Dam,
Salem District.

+lcc to Mr.M.R.Jothimani, Advocate Sr.35290
+lcc to the Government Pleader Sr.35876

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srg 19/06/2018



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