



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.14175 of 2019

E.Annaselvam

... Petitioner

-Vs-

1.The Principal Secretary,
Revenue Department,
Government of Tamilnadu,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai Taluk,
Virudhunagar District.

4.The Tahsildar,
Office of the Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to rectify the wrong entry made in Patta No.470 by amending the name as CHINNA MOSEA FAMILY for the entire extent of 24 cents in survey No.69/2, Vadhuvarpatti Village, Aruppukottai Taluk, Virudhunagar District based on the petitioner's representation dated 12.05.2019.

For Petitioner : Mr.Anand C. Rajesh

For Respondents : Mr.P.Kannidevan, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to rectify the wrong entry made in Patta No.470 by amending the name as CHINNA MOSEA FAMILY for the entire extent of 24 cents in survey No.69/2, Vadhuvarpatti Village, Aruppukottai Taluk, Virudhunagar District based on the petitioner's representation dated 12.05.2019.

Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that, in respect of the land in survey No.69/2, Vadhuvarpatti Village, Aruppukottai Taluk, Virudhunagar District, patta was issued in patta No.470 and according to the petitioner, that patta was wrongly issued to some other third parties without even giving notice to the petitioner. Therefore, in this regard, the petitioner has given a representation to the respondents herein on 12.05.2019 and if the said representation is directed to be considered within a time frame and an order to that effect is directed to be passed on merits, the petitioner would be satisfied.

4.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, as against the patta allegedly issued wrongly by the Tahsildar concerned, rectification if at all to be made has to be made, only by the concerned Revenue Divisional Officer, to whom, appeal has to be filed and the present representation, given to the authorities including the Secretary to Government, cannot be considered by those authorities and if at all the said representation has to be considered, since a copy has been marked to the Revenue Divisional Officer, who is the competent authority, he will consider the same and pass orders on merits.

5.Considering the said submissions made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the admission stage itself, with the following direction:

"The 3rd respondent viz., the Revenue Divisional Officer is hereby directed to consider the representation given by the petitioner dated 12.05.2019 and pass orders thereon, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. While considering the same, let the 3rd respondent give opportunity of being heard to the petitioner as well as the rival claimants, if any."

6.With this direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

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To

1.The Principal Secretary,
Revenue Department,
Government of Tamilnadu,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai Taluk,
Virudhunagar District.

4.The Tahsildar,
Office of the Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

+1 CC to M/s.ANANTH C.RAJESH, Advocate (SR-71153[F] dated
25/06/2019)

+1 CC to M/s.SPL GP (SR-71505[F] dated 26/06/2019)

Arul

Order made in
W.P. (MD) No.14175 of 2019
25.06.2019

_KM/ (02.07.2019) 3P 7C