



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.12.2019
CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD)No.12273 of 2015 and
M.P. (MD)No.1 of 2015

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1.Periyamuniammal
2.Chinnamuniammal ... Petitioner

vs.

1.The Revenue Inspector,
Revenue Inspector Officer,
Thiruchuli Taluk, Virudhunagar District.

2.The Tahsildar,
Tahsildar Office,
Thiruchuli Taluk, Virudhunagar District.

3.The Village Administrative Officer,
Velanoorani Group,
Eluppaiyur Post,
Velanoorani, Thiruchuli Taluk,
Virudhunagar District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to transfer the patta in the petitioners' names by sub dividing their lands into two halves in accordance with law.

For Petitioners : Ms.V.Jeyarani
For Respondents : Mr.A.Thiyagarajan
Government Advocate

O R D E R

The petitioners have filed this Writ Petition for issuing a Writ of Mandamus to direct the respondents to issue patta in favour of petitioners by sub dividing their lands into two halves.

2.The case of the petitioners is that the petitioners are daughters of one Tmt.Velammal, who is the sister of one Veluthevar, son of Koodappathever. The further case of the petitioners is that the maternal uncle of the petitioner executed a gift deed allotting the properties in favour of the petitioners' mother.

3.Though it is alleged that the properties are in several survey numbers, namely, S.No.208/7C, 208/7D and etc., the gift deed does not refer to any survey fields, in respect of which, the



petitioners have made a claim. Further, the petitioners have not produced any connected records to prove their title or enjoyment. Copy of representations, dated 05.01.2015 and 23.06.2015 are produced before this Court to show that the petitioners have requested the revenue officials to give separate patta to the petitioners, in respect of two halves of the properties covered by the registered settlement deed. The petitioners have not produced the correlation register or supporting documents to prove that the land, for which the petitioners claim title or patta, belongs to the petitioners' maternal uncle and that the petitioners are in enjoyment of the property. Even though it is not mentioned about any rival claim, the petitioners have approached this Court without any connected material document to substantiate their case. As pointed out earlier, the prior document of title or revenue records in the name of settlor before the settlement deed are not produced. The settlement deed do not refer to present survey numbers and no correlation is derived even in the affidavit.

4.Considering the fact that the petitioners have not produced enough records to substantiate their case, this Court is not inclined to entertain this Writ Petition. As a result, this Writ Petition is dismissed. However, liberty is given to the petitioners to approach either the Civil Court or revenue officials by producing reliable and necessary records to prove their title and entitlement on the basis of the settlement deed alleged to have been executed by their maternal uncle in favour of their mother. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (records)

// True Copy //

Sub Assistant Registrar(CS)

Cmr

To

1.The Tahsildar,
Tahsildar Office,
Thiruchuli Taluk, Virudhunagar District.

2.The Revenue Inspector,
Revenue Inspector Officer,
Thiruchuli Taluk,
Virudhunagar District.

3.The Village Administrative Officer,
Velanoorani Group,
Eluppaiyur Post,
Velanoorani, Thiruchuli Taluk,
Virudhunagar District.

<https://hcservices.ecourtshq.in/hcservices/>



+1 CC to M/s.V.JEYARANI, Advocate (SR-102950[F] dated 02/12/2019)
+1 CC to SPL GP (SR-103113[F] dated 03/12/2019)

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MK (18.12.2019) 3P 6C

W.P.(MD)No.12273 of 2015
02.12.2019