



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2019

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THE HONOURABLE MR.JUSTICE **S . S . SUNDAR**

W.P. (MD) No.25667 of 2019

Krishnamoorthy

... Petitioner

vs.

1.The District Collector,
Trichy District, Trichy.

2.The District Revenue Officer,
Office of the District Collectorate,
Trichy.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Musiri, Trichy District.

4.The Tahsildar,
Tahsildar Office,
Thottiyam Trichy District.

5.Thongilan Chettiar

... Respondents

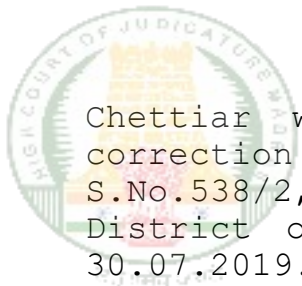
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to include the petitioner's father's name, Subramanian Chettiar in the revenue records instead of Thongilan Chettiar with the further direction to issue fresh patta after correction, in respect of the punja land compromise in S.No.538/2, situated at Kolakkudi Village, Thottiyam Taluk, Trichy District on the basis of the petitioner's representation, dated 30.07.2019 within a time frame to be stipulated by this Court.

For Petitioner :Mr.A.Joel Paul Antony

For R1 to R4 :Mr.B.Bhagavathi (Govt. Advocate)

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, to direct the respondents to include the petitioner's father's name, Subramanian Chettiar in the revenue records instead of Thongilan



Chettiar with a further direction to issue fresh patta after correction in the revenue records for the punja land comprised in S.No.538/2, situated at Kolakkudi Village, Thottiyam Taluk, Trichy District on the basis of the petitioner's representation, dated 30.07.2019.

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2.In the representation submitted by the petitioner and in the affidavit filed in support of this petition, the petitioner states that the property, namely, land in S.No.538/2, situated at Kolakkudi Village, Thottiyam Taluk, Trichy District, is the ancestral property of the petitioner and that the property is in enjoyment of the petitioner and his brother, by name, Somasundaram. It is further stated that the revenue authorities have mistakenly mentioned the petitioner's father's name, as Thongilan Chettiar, instead of Subramanian Chettiar. It is also stated that the said Thongilan Chettiar is no way connected to the land.

3.Since the petitioner's father died, the petitioner in his representation has requested the revenue officials to delete the name of said Thongilan Chettiar and include the name of petitioner's father, by name, Subramanian Chettiar. It is admitted that the petitioner's father, Subramanian Chettiar died long back.

4.Be that as it may, claim of the petitioner and his brother, is based on a partition deed, dated 27.01.1976, wherein, one Subramnia Chettiar and his sons have divided certain properties by metes and bounds. The property comprised in S.No.538/2 has been allotted to one Somasundara Chettiar and the petitioner, who are sons of A.Subramania Chettiar. The petitioner, who is the son of Subramania Chettiar, states that the property is allotted in the partition to the petitioner and his brother, and that patta has been issued in the name of petitioner and his brother showing wrongly their father's name, as Thongilan Chettiar, who is not related to petitioner.

5.Going by documents, it appears that the property does not stand in the name of Subramania Chettiar, despite the property has been dealt with under the partition deed of the year 1976, as the property of Subramanian Chettiar. The petitioner has impleaded the fifth respondent as a person residing in Kodiyampalayam without giving his father's name and other details. The petitioner has produced a patta, vide Patta No.1937 in respect of two survey numbers including, S.No.528/2, to show that the property stands in the name of Somasundara Chettiar and Krishnamoorthy. However, the petitioner's name is shown as son of Thongilan Chettiar. It is stated that this is a mistake and therefore, the petitioner made a representation, dated 30.07.2019.

6.Since there is a discrepancy in the revenue records, the authorities may consider the representation of the petitioner on



a period of three weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

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// True Copy //

Sub Assistant Registrar (CS)

cmr

To

- 1.The District Collector,
Trichy District, Trichy.
- 2.The District Revenue Officer,
Office of the District Collectorate,
Trichy.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Musiri, Trichy District.
- 4.The Tahsildar,
Tahsildar Office,
Thottiyam Trichy District.

+1 CC to M/s.SPL GP (SR-103271[F] dated 04/12/2019)

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-103633[F] dated 05/12/2019)

W.P. (MD)No.25667 of 2019
03.12.2019

JMN(31.12.2019) 3P : 7C