

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P.No.6896 of 2020
and
W.M.P. No. 8228 of 2020

1.C.Govindaraj

2.C.Lakshmi Kala

3.Venkata Lakshmi

...Petitioner

Vs.

1.The Tahsildar,
Office of Denkanikottai Taluk,
Krishnagiri District,
Tamil Nadu - 635 107.

2.Sarawathi

3.Valarmathi

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to rectify the defects which have crept in the revenue records by canceling the names of second and third respondents respectively and instead insert the name of the second petitioner namely Mrs. C.Lakshmikala in the Patta.

For Petitioners : Mr. M.J.Jaseem Mohamed

For Respondent - 1 : Mr. E.Balamurugan
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issuance of the Writ of Mandamus directing the first respondent to rectify the defect which have crept in the revenue records by canceling the names of second and third respondents respectively and consequently add the names of the petitioners in the revenue records.

2. The case of the petitioners is that the subject property belong to one Chinnaraj and after his death, the petitioners are claiming to be his legal heirs. The further case of the petitioners is that attempts were made to question the title of the petitioners and to interfere with their possession. Hence, a suit was filed in O.S. No. 200 of 2012 seeking for relief of declaration of title and other consequential reliefs. This suit was decreed in favour of the petitioners by judgment and decree dated 09.02.2015. It is seen from the decree that the second and third respondents in this Writ Petition were arrayed as defendants 15 and 17 in the suit.

3. After the decree was passed in favour of the petitioners, the petitioners made representation to the first respondent to effect the changes in the revenue records by removing the names of the second and third respondent and to add the names of the petitioners. Since the same was not acted upon, the present Writ Petition has been filed seeking for appropriate directions.

4. Heard Mr. M.J.Jaseem Mohamed, learned counsel appearing on behalf of the petitioner and Mr. E.Balamurugan, learned Special Government Pleader appearing on behalf of the first respondent.

5. Revenue Standing Orders 31 provides the rules regarding the transfer of registry of holdings. Clause 4 of the Revenue Standing Orders 31 deals with the transfers that has to be effected in declaratory decrees. The petitioners are seeking for such a change in the revenue records by relying upon this rule.

6. In view of the above, there shall be a direction to the first respondent to consider the representations made by the petitioners on 14.10.2019 and 02.12.2019 and call for an enquiry by issuing notice to all the interested parties. Thereafter, the first respondent shall deal with the same and pass appropriate orders, strictly in accordance with law, within a period of eight weeks from the date of receipt of the copy of this order.

7. The petitioners are directed to make a fresh representation to the first respondent along with a copy of the

representations dated 14.10.2019 and 02.12.2020 and a copy of this order.

8. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Tahsildar,
Office of Denkanikottai Taluk,
Krishnagiri District,
Tamil Nadu - 635 107.

+1cc to Mr.M.J.Jaseem Mohamed, Advocate, S.R.No.24253

+1cc to the Government Pleader, S.R.No.24488

W.P.No.6896 of 2020
and

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SS(CO)
RN(01/06/2020)

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