

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No. 11900 of 2020

R.K.Sreevenkateshraj

...Petitioner

Vs.

1 The District Collector
Salem District

2 The Tahsildar
Edappadi Taluk
Salem District.

3 The Zonal Deputy Tahsildar
Edappadi Taluk
Salem District.

4 The Revenue Inspector
Koonganapuram Firka, Edappadi Taluk
Salem District.

5 The Village Administrative Officer
Thangaapur Village, Edappadi Taluk
Salem District.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents 3 to 5 herein to implement the order passed by the 2nd Respondent in Na.Ka.Na.Ka. 2860 / 2016(A6) dated 16.06.2020 and mutate the Patta for S.No. 433/1 and 433/2 situated at Thangayur Village, Edapadi Taluk, Salem District in the name of petitioner family within a reasonable time as may be fixed by this Hon'ble Court.

For Petitioner : Mrs.Mahamandra Rajalakshmi

For Respondents: Mr.S.N.Parthasarathi
Government Advocate

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents 3 to 5 to implement the order passed by the second respondent on 16.06.2020, wherein a direction has been given to mutate the revenue records and add the name of the petitioner and his family.

2. The case of the petitioner is that the subject property originally belonged to his grand father and his father. The father of the petitioner died on 13.09.2016 leaving behind the petitioner, his mother and his brother as the legal heirs. A suit came to be filed in O.S.No.221 of 2013 by the petitioner and his mother before the III Additional District Court, Salem. The suit was decreed by judgment and decree dated 07.09.2019.

3. Based on the decree passed by the Civil Court, the petitioner submitted an application before the second respondent for mutation of revenue records in his name. The second respondent, by proceedings dated 16.06.2020, directed to mutate the revenue records and to add the name of the petitioner, his mother and his brother in the revenue records.

4. The grievance of the petitioner is that the respondents 3 to 5, inspite of having knowledge about the said order, did not make the necessary changes to the revenue records. Left with no other alternative, the present Writ Petition has been filed before this Court.

5. Heard Mrs.Mahamandra Rajalakshmi, learned counsel for the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate for the respondents.

6. Taking into consideration the facts and circumstances of the case and the fact that the second respondent has already directed the mutation of revenue records by proceedings dated 16.06.2020, respondents 3 to 5 are directed to act on the representation made by the petitioner on 29.06.2020 and carry out the mutation of revenue records in line with the proceedings of the second respondent dated 16.06.2020. This exercise shall be carried out within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

mra

To

1 The District Collector
Salem District

2 The Tahsildar
Edappadi Taluk
Salem District.

3 The Zonal Deputy Tahsildar
Edappadi Taluk
Salem District.

4 The Revenue Inspector
Koonganapuram Firka, Edappadi Taluk
Salem District.

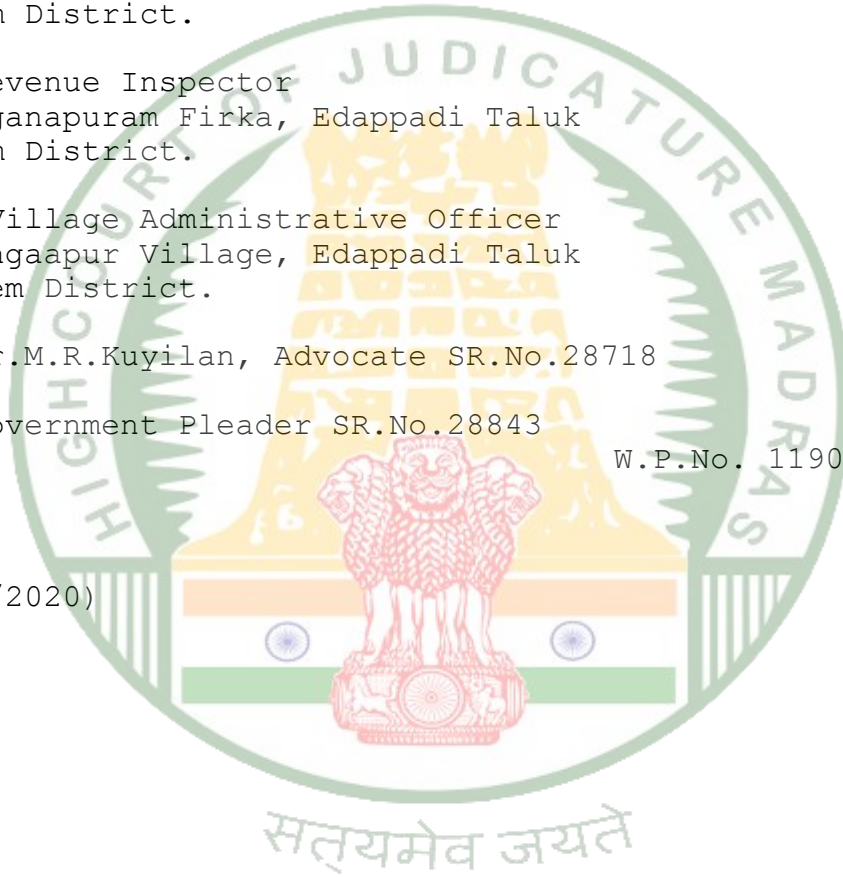
5 The Village Administrative Officer
Thangaapur Village, Edappadi Taluk
Salem District.

+1cc to Mr.M.R.Kuyilan, Advocate SR.No.28718

+1cc to Government Pleader SR.No.28843

W.P.No. 11900 of 2020

SVI (CO)
GMY (19/10/2020)



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