



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.07.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.7554 of 2020

Mohan Kumar @ Karunai Ragav Muthaiah

...Petitioner

Vs

1.The District Collector,
Karur District.

2.The District Revenue Officer,
Karur District.

3.The Tahsildar,
Kadavur Taluk Office,
Karur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to issue the patta in respect of Survey No. 406/2, Keelapaguthi Village, Kadavur Taluk, Karur District in favour of the petitioner based on the representation dated 03.07.2020.

For Petitioner : Mr.A.Uthaya Kumar for Mr.P.Andiraj
For Respondents : Mr.R.Sethuraman
Special Government Pleader

ORDER

This writ petition is filed to direct the respondents to issue a patta in respect of the property in S.No.406/2 situated at Keelapaguthi Village, Kadavur Taluk, Karur District in his favour.

2.According to the petitioner, the property in S.No.406/2 situated at Keelapaguthi Village, Kadavur Taluk, Karur District, was in possession and enjoyment of his father, namely, K.K.G.Muthaiah and an Adangal receipt had also reflected that the aforesaid property was in the name of his father. During the lifetime of his father, the aforesaid property has been wrongly classified as "Sandhai Poramboke".

3.To rectify the above mistake, to reclassify the aforesaid property and to issue a patta in the name of the petitioner's father, the petitioner's father had submitted a detailed representation to the 1st respondent on 18.07.2016. But, on such representation no action has been taken by the 1st respondent, till date. After the demise of the petitioner's father, the petitioner sent another representation on 23.06.2020 to the 1st respondent to reclassify the aforesaid property and to issue a patta in his



favour. However, on such representation no action has been taken by the 1st respondent till date. Hence, left with no other alternative, the petitioner is before this Court for the relief stated supra.

4.The learned Special Government Pleader appearing for the respondents would submit that the 3rd is not a competent authority to reclassify the land in S.No.406/2 situated at Keelapaguthi Village, Kadavur Taluk, Karur District and to issue a patta in favour of the petitioner and under Section 12 of the Tamilnadu Patta Pass Book Act, 1983, an appeal provision is available to the petitioner to work out his remedy.

5.In agreeing with the submission made by the learned Special Government Pleader, this Writ Petition is dismissed with liberty to the petitioner to file an appeal before the authorities concerned to workout his remedy, if he is so advised. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Karur District.

2.The District Revenue Officer,
Karur District.

3.The Tahsildar,
Kadavur Taluk Office,
Karur District.

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SMA/17/07/2020/2P/4C