



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P.(MD)No.9463 of 2020

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N.Ottakaran

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sattur Town, Virudhunagar District.

4.The Tahsildar,
Taluk Office,
Rajapalayam Town, Virudhunagar District.

5.The Village Administrative Officer,
Samanthapuram Village, Rajapalayam Taluk,
Rajapalayam Town, Virudhunagar District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to make necessary changes in the village account of Samanthapuram Village, Rajapalayam Taluk in respect of Natham S.No.902/16 by including the name of the petitioner herein and consequently, direct the 5th respondent herein to furnish him a certified copy of Natham Nila Vari Thitta Thuya Adangal Extract and 'A' register for Natham S.No.902/16 to an extent of 31.5 Sq.mt within a stipulated period to be fixed by this Court.

For Petitioner : Mr.M.Thirunavukarasu

For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

This writ petition is filed to direct the respondents to make necessary changes in the village account of Samanthapuram Village, Rajapalayam Taluk, in respect of Natham S.No.902/16, by including the name of the petitioner and consequently, to direct the fifth respondent to furnish a certified copy of Natham Nila Vari



Thitta Thuya Adangal Extract and 'A' register for Natham S.No.902/16 to an extent of 31.5 Sq.mt.

2.Heard Mr.M.Thirunavukarasu, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3.According to the petitioner, the property comprised in Natham S.No.902/14 is having total extent of 162.5 sq.mt., out of which, the petitioner is in possession and enjoyment of 31.5 sq.m., of land in S.No.902/14 and one Ramaiah, was in possession of 58.5 Sq.mt., in Natham S.No.902/14 and by misrepresentation, the said Ramaiah, obtained patta for the entire extent of lands from the Special Tahsildar, Rajapalayam. The special Tahsildar, Rajapalayam, conducted an enquiry upon the petitioner's objection and cancelled the Natham patta issued in favour of the said Ramaiah. In such circumstances, the legal heirs of the said Ramaiah, filed a civil suit against the petitioner in O.S.No.274 of 1996 before the Principal District Munsif Court, Srivilliputtur for permanent injunction and the same was dismissed. Against which, an appeal suit was filed in A.S.No.32 of 1997 before the Addl. Sub Court, Srivilliputtur. For the purpose of constructing the house, the petitioner approached the Local Panchayat for getting plan approval and he was directed to submit Natham Nila Vari Thittam Thuya Adangal extract and 'A' Register. Therefore, the petitioner approached the fifth respondent to get the aforesaid documents, but the fifth respondent informed him that his name was not entered in the adangal extract and 'A' Register and it was found in the name of Ramaiah. Therefore, the petitioner sent a representation dated 16.07.2020 to the respondents. Since no action has been taken, the petitioner is before this Court.

4.The learned counsel appearing for the petitioner submitted that the petitioner sent a representation dated 16.07.2020 to the respondents to make necessary changes in the Village Account of Samanthapuram Village, Rajapalayam Taluk in respect of Natham S.No.902/16 by including the name of the petitioner and so far no action has been taken. Therefore, he prays the aforesaid relief in the present writ petition.

5.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered and appropriate orders will be passed in accordance with law.

6.In view of the aforesaid submissions made on either side, there shall be an order of direction, directing the third respondent to consider the petitioner's representation dated 16.07.2020 and pass orders on merits and in accordance with law, after providing opportunity to the parties concerned, within a period of twelve months from the date of receipt of a copy of this order.



7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

WEB COPY

// 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,
Virudhunagar District, Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District, Virudhunagar.
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Office of the Revenue Divisional Officer,
Sattur Town, Virudhunagar District.
4. The Tahsildar,
Taluk Office,
Rajapalayam Town, Virudhunagar District.
5. The Village Administrative Officer,
Samanthapuram Village, Rajapalayam Taluk,
Rajapalayam Town, Virudhunagar District.

+1 CC to M/s.GP (SR-15831[F] dated 03/09/2020)

W.P. (MD) No. 9463 of 2020
02.09.2020

SPU (14.09.2020) 3P 7C