



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.17166 of 2020
(Through Video Conference)

A.Adaikkalasamy ... Petitioner

Vs

1) The District Collector,
District Collectorate,
Tiruchirapalli District,
Tiruchirapalli.

2) The Revenue Divisional Officer,
Revenue Divisional Office,
Lalgudi Post and Taluk,
Tiruchirapalli District.

3) The Tahsildar,
Taluk Office,
Lalgudi Taluk, Tiruchirapalli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to effect mutation in the revenue records as 54 square feet instead of 49.85 square feet in Natham Survey Nos.274/3, 5 and 6 at Ariyur Village, lalgudi Taluk, Tiruchirapalli District by considering the petitioner's representation dated 20.07.2020 within the time stipulated by this Court.

For Petitioner : Mr.C.Abdulkalam Azad
For Ms.K.Vidya
For Respondents : Mr.C.Ramesh,
Special Government Pleader.

O R D E R

This writ petition has been filed for a Mandamus seeking for
<https://hcservices.ecourts.gov.in/hcservices/> directed to the respondents to effect mutation of the revenue



records as 54 square feet instead of 49.85 square feet in Natham Survey Nos.274/3, 5 and 6 at Ariyur Village, lalgudi Taluk, Tiruchirapalli District by considering the petitioner's representation dated 20.07.2020 within the time frame to be fixed by this Court.

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2. Mr.C.Ramesh, learned Special Government Pleader accepts notice for the respondents. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that he is the absolute owner of the property measuring 54 square feet in Natham Survey Nos.274/3, 5 and 6 at Ariyur Village, Lalgudi Taluk, Tiruchirapalli District. However, according to him, in the revenue records, the extent of the property has been mentioned erroneously as 49.85 square feet instead of 54 square feet. He has given a representation on 20.07.2020 to the respondents requesting them to effect mutation in the revenue records as 54 square feet instead of 49.85 square feet. It is his case that, till date, the said representation of the petitioner has not been considered by the respondents. In such circumstances, this writ petition has been filed.

4. The relief sought for in this writ petition is an innocuous relief. No prejudice would be caused to the respondents if the said representation of the petitioner, dated 20.07.2020 is considered by the respondents on merits and in accordance with law.

5. It is the case of the petitioner that he and other persons are the owners of the property measuring 54 square feet in Natham Survey Nos.274/3, 5 and 6 at Ariyur Village, Lalgudi Taluk, Tiruchirapalli District and it is his case that as per existing revenue records, the extent of the property has been wrongly mentioned as 49.85 square feet instead of 54 square feet. In order to correct the same, the petitioner has given a representation dated 20.07.2020 to the respondents. Admittedly, the said representation has not been considered by them till date.

6. For the foregoing reasons, this Court directs the second respondent to consider the representation of the petitioner dated 20.07.2020 requesting for correction of the revenue records to disclose the extent of the property as 54 square feet instead of 49.85 square feet situated in Natham Survey Nos.274/3, 5 and 6 at Ariyur Village, Lalgudi Taluk, Tiruchirapalli District and pass final orders on merits and in accordance with law after hearing the necessary parties including the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.



7. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

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Sd/-

Assistant Registrar (RTI)

// 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,
District Collectorate,
Tiruchirapalli District,
Tiruchirapalli.
- 2) The Revenue Divisional Officer,
Revenue Divisional Office,
Lalgudi Post and Taluk,
Tiruchirapalli District.
- 3) The Tahsildar,
Taluk Office,
Lalgudi Taluk, Tiruchirapalli District.

+1 CC to Mr.C.ABULKALAM AZAD, Advocate (SR-23279[F] dated 30/11/2020)

+1 CC to SGP (SR-23514[F] dated 01/12/2020)

Order made in
W.P. (MD)No.17166 of 2020

Dated:
30.11.2020

MJ (CO)

KM (23.12.2020) 3P 6C

<https://hcservices.ecourts.gov.in/hcservices/>