



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.13302 of 2020

S.Sankar

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Manamelkudi Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 29.07.2020 and order to change of patta No.440 to the petitioner's name in respect of Survey Numbers 160/3B, 160/4A, 160/5A, 160/9A in Vichur Revenue Village, Manamelkudi Taluk, Pudukkottai District and to effect the mutation of revenue records.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy
For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition seeking a direction to the second respondent to consider the petitioner's representation dated 29.07.2020 and order to change of patta No.440 to the petitioner's name in respect of S.Nos.160/3B, 160/4A, 160/5A, 160/9A in Vichur Revenue Village, Manamelkudi Taluk, Pudukkottai District and to effect the mutation of revenue records.

2.According to the petitioner, his father namely, Chandiraraj has purchased the petition mentioned property from one Sheik Mohamed Yusub Rawther. For the past 25 years, his father is in possession and enjoyment of the petition mentioned property. When the petitioner has approached the second respondent, requesting to change the patta in his name in respect of the petition mentioned property, the second respondent did not take any steps to redress the grievance of the petitioner. Hence, the petitioner has made a



representation dated 29.07.2020 to the second respondent through registered post. However, so far, no effective steps have been taken on the representation of the petitioner. Hence, the petitioner has approached this Court seeking aforesaid relief.

3.It is represented by Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents that the representation of the petitioner has been rejected, as the patta is in the name of the original owner Sheik Mohamed Yusub Rawther from whom the petitioner's father had purchased the property.

4.The learned counsel appearing for the petitioner would submit that the petitioner's father has purchased the property and for the past 25 years, he is in possession and enjoyment of the same. However, he has purchased the property by means of verbal sale deed.

5.This Court cannot accept the contention and proceed with on the basis of the verbal sale deed. It is needless to mention that even after rejection by the respondents, as stated by the learned Special Government Pleader appearing for the respondents, if the petitioner is able to get a proper sale deed in his favour from the said Sheik Mohamed Yusub Rawther, the authority on necessary application shall furnish patta in his name, provided that proper sale deed is executed before the Sub-Registrar's Office.

6.Accordingly, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (A.S)

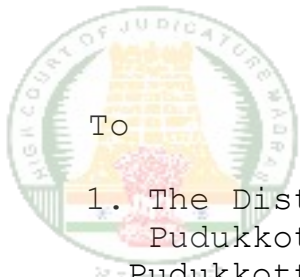
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Sub Assistant Registrar(CS)

Myr

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,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Manamelkudi Taluk,
Pudukkottai District.

+1 CC to the SPL GP (SR-19599[F] dated 09/10/2020)

Order made in
W.P. (MD) No.13302 of 2020
08.10.2020

NS (CO)
CS (16.10.2020) 3P 4C