



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

W.P. (MD)No.16544 of 2020

Samykanu

... Petitioner

Vs.

The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein to remove the wrong entry made in the revenue records in respect of the Patta pertaining to the property comprised in S.No.14-B/1F situated at Neyveli Vadapatti Village, Orathanadu Taluk, Thanjavur and include the petitioner's name, Samykanu on the basis of the petitioner's representation dated 15.07.2020 within the time stipulated by this Court.

For Petitioner

: Mr.B.Jameelarasu

For Respondent

: Mr.K.P.Krishnadass

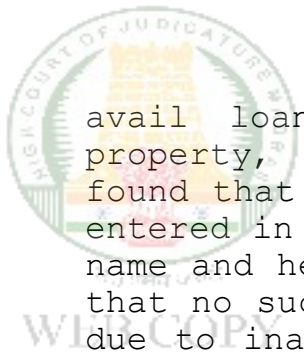
Special Government Pleader

ORDER

This writ petition is filed seeking issuance of Writ of Mandamus directing the respondent to to remove the wrong entry made in the revenue records in respect of the Patta pertaining to the property comprised in S.No.14-B/1F situated at Neyveli Vadapatti Village, Orathanadu Taluk, Thanjavur and include the petitioner's name, Samykanu on the basis of the petitioner's representation dated 15.07.2020 within a time frame.

2. Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadass, learned Special Government Pleader, who took notice for the respondent. By consent of both parties, the Writ Petition is disposed of at the admission stage itself.

3. It is represented by the learned counsel appearing for the petitioner that the petitioner's father purchased the property comprised in S.No.14-B/1F measuring to an extent of 0.27.00 Ares punja land, situated at Neyveli Vadapatti village, Orathanadu Taluk, Thanjavur District by way of valuable sale consideration on 03.08.1953 and the same was registered. Further, the petitioner's father sold 1/4th portion towards northern side of his property measuring to an extent of 20 cents on 19.02.1954 in favour of one Rajammal. Thus, remaining extent of 66 cents has been in possession and enjoyment of the petitioner's father and thereafter, by oral partition, the petitioner and his brother Srinivas equally shared the said property during the year 1970. After such partition, the petitioner is in possession and enjoyment of the respective share of the property. In such circumstances, when the petitioner wanted to



avail loan for his family necessities by mortgaging the said property, he had verified the revenue records. At that time, he found that the name of one Kalyana Velaar, S/o. Muthusamy, has been entered in the patta in respect of his share property instead of his name and he enquired about the said Kalyana Velaar and came to know that no such person is existing and the said mistake may have taken place due to inadvertence by the authorities. Thereafter, the petitioner made a representation dated 15.07.2020 to make corrections in the revenue records. But till date, no action has been taken on his representation. Therefore, the petitioner has come forward with this Writ Petition.

4. Considering the facts and circumstances of the case, the respondent/District Revenue Officer is directed to consider the representation of the petitioner dated 15.07.2020 and pass orders in accordance with law and in the light of the directions given by this Court made in W.P.(MD)No.14135 of 2020, dated 12.10.2020, after affording an opportunity of hearing to the concerned parties. Further, the respondent/District Revenue Officer is at liberty to make a personal visit, if required, and to find out as to whether there is any person either in the name of Kalyana Velaar or in the name of his father Muthusamy or their legal heirs, if any, and the entire process shall be photographed and videographed by the authorities concerned.

5. With the above direction, the writ petition, is disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

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

The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-22695[F] dated 24/11/2020)

W.P(MD)No.16544 of 2020

23.11.2020

ARK(CO)

KB(10.12.2020) 2P 3C

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