



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

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W.P. (MD)No.14819 of 2020

Ponnushabeevi

... Petitioner

VS

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kadaladi,
Ramanathapuram District.

3.The Zonal Deputy Tahsildar,
Kadaladi Taluk Office, Kadaladi,
Ramanathapuram District.

4.The Sub Inspector of Land Survey,
Kadaladi Taluk Office, Kadaladi,
Ramanathapuram District.

5.The Village Administrative Officer,
Iruveli Group,
Narippaiyoor Village,
Kadalady Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 3 to 5 to carry over the orders passed by the second respondent through his order dated 30.08.2018 thereby to make corrections in the Revenue records by mutating the name of the petitioner in the Revenue Records related to Iruveli Group Survey No.163/2 to an extent of 0.22.5 dry lands and in Survey No.154/4 to an extent of 0.10.0 ares of Wet lands on the basis of the representation of the petitioner sent to the second respondent dated 28.09.2020 within a time limit by perusing all the documents submitted on the side of the petitioner.

For Petitioner : Mr.R.Babu Jaganath

For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

**ORDER**

This writ petition is filed, seeking issuance of Writ of Mandamus directing the respondents 3 to 5 to carry over the orders passed by the second respondent through his order dated 30.08.2018 thereby to make corrections in the Revenue records by mutating the name of the petitioner in the Revenue Records related to Iruveli Group Survey No.163/2 to an extent of 0.22.5 dry lands and in Survey No.154/4 to an extent of 0.10.0 ares of Wet lands on the basis of the representation of the petitioner sent to the second respondent dated 28.09.2020 within a time limit.

2. Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the respondents. 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 mother one Muthubeevi owned lands in Iruveli Group Survey No.163/2 to an extent of 0.22.5 dry lands and in Survey No.154/4 to an extent of 0.10.0 ares of Wet lands which were purchased by her long back in the years 1957 and 1959 from one Gurusamy Thevar for due consideration. After the death of her mother, the petitioner is in peaceful possession and enjoyment of the said properties. While so, the petitioner tried to mutate the petitioner's name in the place of her mother's name in all relevant revenue records by way of making applications to the second respondent. In reply, the second respondent has stated that one Ahakakhan and his men said to have objected for the name change and hence the petitioner approached the jurisdictional Court and filed declaration suit in O.S.No.53 of 2010 on the file of the Sub Court, Paramakudi, seeking permanent injunction for not to disturb the petitioner's peaceful possession and enjoyment. Since the defendants failed to appear, an exparte order dated 22.10.2011 was passed by the jurisdictional Court and till date that was not challenged by any of the defendants. Based on the exparte order, the petitioner again approached the second respondent for mutation of the petitioner's name in the revenue records. The second respondent passed a detailed order dated 30.08.2018 directing the respondents 3 to 5 herein to mutate the petitioner's name in the place of her mother's name. Thereafter, the petitioner sent representation on 28.09.2020. But so far, no steps have been taken on the petitioner's representation. In such circumstances, the petitioner has come forward with this Writ Petition.

4. Considering the facts and circumstances of the case, the respondents, particularly the respondents 3 to 5 are directed to consider the representation of the petitioner dated 28.09.2020 and pass orders in accordance with law and in the light of the directions given by this Court in W.P.(MD)No.14135 of 2020, dated



12.10.2020, after affording an opportunity of hearing to the concerned parties.

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

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Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

To

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3. The Zonal Deputy Tahsildar,
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4. The Sub Inspector of Land Survey,
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5. The Village Administrative Officer,
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+1 CC to the SPL GP (SR-21608[F] dated 09/11/2020)

W.P (MD) No.14819 of 2020
06.11.2020

SGS (CO)
CS (30.11.2020) 3P 7C