



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2020

CORAM:

WEB COPY

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

W.P. (MD)No.15489 of 2019

Mr.S.S.Jeyachandran

... Petitioner

Vs.

The Tahsildar
Kodaikanal
Dindigul District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent taking into account of the respondent proceedings dated 23.02.2015 by consider the petitioner's representation dated 12.06.2019 and accordingly, the respondent to direct the update the petitioner's revenue records relevant FH patta No.2993 in Government e-service portal.

For Petitioner : Mr.V.Vinayagamoorthy
For Respondent : Mr.P.Kannithevan
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondent taking into account of the respondent proceedings dated 23.02.2015, by consider the petitioner's representation dated 12.06.2019 and accordingly, to direct the respondent to update the petitioner's revenue records relevant FH patta No.2993 in Government e-service portal.

2.Heard Mr.V.Vinayagamoorthy, learned counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondent.

3.According to the petitioner, the petition mentioned property originally gifted to the freedom fighter viz., S.S.Senthil Servai, who is the father of the petitioner, passed away on 10.06.1992 and the wife of the said S.S.Senthil Servai, died on 10.11.2018 and thereafter, the petition mentioned property devolved on the existing legal heirs of the said S.S.Senthil Servai and the revenue records stands in the name of late S.S.Nagalakshmi Ammal.



4.Further, the property in Old Survey No.393, Town Survey No.55 in Ward 18, Kodaikanal Municipality, Dindigul District, was assigned to the petitioner's father in the year 1942 under the French Land Town Planning Scheme. Ever since from the date of assignment, the petitioner's family members said to be in possession of the property and his father has constructed a house and obtained electricity connection and in the remaining extent of the property, he is carrying on agricultural activities. Thereafter, the petitioner's father has preferred an application before the Commissioner of Kodaikanal Municipality, to assign the said land in favour of him, in terms of the scheme given to him during 1942. The said request was considered and passed resolutions to that effect. In spite of the resolutions, till date the Tahsildar, Dindigul District, has not altered the revenue records saying that the property as 'freehold' property. Therefore, the petitioner's mother has filed a writ petition in W.P(MD).No.14448 of 2014 before this Court and the same was disposed of on 02.09.2014. Pursuant to which, the Tahsildar, Dindigul District, issued proceedings dated 23.02.2015 in Na.Ka.10537/2014/A1, after conducting an enquiry, the name of the petitioner's mother has been mutated in the revenue records vide patt No.FH 2993. When the petitioner has come to know the respondent partially updated Government E-Service portal online dated TR-DT 19.09.2018 and failed to update the petitioner's family patta land FH 2993, he filed an application through registered post on 12.06.2019. Since no action has been taken, the petitioner is before this Court.

5.The learned counsel appearing for the petitioner submitted that it would suffice, if the representation made by the petitioner dated 12.06.2019 is directed to be considered by the respondent.

6.In the light of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the respondent to consider the petitioner's representation, dated 12.06.2019 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner as well as to the interested parties if any, within a period of twelve(12) weeks from the date of receipt of a copy of this order. No costs.

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

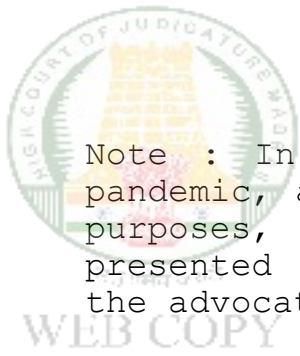
Sd/-

Assistant Registrar (A.S)

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/ /2020

Sub Assistant Registrar(CS)



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 Tahsildar
Kodaikanal
Dindigul District.

+1 CC to the SPL GP (SR-17275[F] dated 17/09/2020)

W.P. (MD) No.15489 of 2019
16.09.2020

SE (CO)
CS (29.09.2020) 3P 3C