



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.15550 of 2020

P.Vijayalakshmi

... Petitioner

-Vs-

1. The Commissioner Land Administration,
Chennai.

2. The District Revenue Officer,
Nagercoil, Kanyakumari District.

3.Dr.R.Madhavan

4.R.Kumar

5.R.Guhan

6.R.Sathya

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to correct the mistakes in the patta proceedings with respect to Survey Nos.1362, 1365 and issue patta for 53 cents by considering the representation dated 24.07.2020.

For Petitioner

: Mr.N.Sivakumar

For R1 and R2

: Mr.K.P.Krishnadoss,

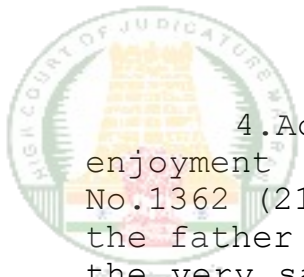
Special Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents 1 and 2 to correct the mistakes in the patta proceedings with respect to Survey Nos.1362, 1365 and issue patta for 53 cents by considering the representation dated 24.07.2020.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.K.P.Krishnadoss, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 to 6, notice to them is dispensed with.



4. According to the petitioner, she is in possession and enjoyment of the land to the extent of 53 cents in Old Survey No.1362 (21 cents) and Survey No.1365 (32 cents) in Patta No.260 and the father of the respondents 3 to 6 is also entitled to 53 cents in the very same survey number and the land in question was originally located in Erachakulam Village, now at Navalkadu Village. When the petitioner has intended to gift her 8 cents to a nearby temple by name Muppidathi Amman, she came to know that patta for her land is available only for 46.25 cents and the balance area of the petitioner's land was wrongly included in the patta of the father of the respondents 3 to 6. Since both were having 53 cents each, 46.25 cents stands in the name of the petitioner and 60 cents stands in the name of the father of the petitioner. It is a clerical mistake done by the official of the respondents 1 and 2. Hence, the petitioner has made a representation dated 24.07.2020 to the respondents 1 and 2. Since no order has been passed on the representation of the petitioner, she has approached this Court, seeking aforesaid prayer.

5. This Court without going into the merits of the case, directs the respondents 1 and 2 to consider the representation of the petitioner dated 24.07.2020, after affording opportunity to the petitioner and also the respondents 3 to 6 and if there is any mistake, the same has got to be corrected. Such an exercise shall be completed, within a period of three months from the date of receipt of a copy of this order, preferably, on or before 31.03.2021. This Court has not decided the veracity of the contentions in the Writ Petition.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

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 Commissioner Land Administration,
Chennai.
2. The District Revenue Officer,
Nagercoil, Kanyakumari District.

+1 CC to Mr.N.SIVA KUMAR, Advocate SR-21525.

Order made in
W.P. (MD) No.15550 of 2020
06.11.2020

PU(CO)
CS(24.11.2020) 3P 4C