



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.17093 of 2020

K.Pitchai

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Madurai District,
Madurai.

2.The Tahsildar,
Thirupparankundram,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the amendment petition dated 20.02.2019 filed by the petitioner for correction of the father's name of the petitioner as Kuppanan instead of Kuppan in the order copy of the proceedings of the first respondent in Na.Ka.No.6988/2011N dated 07.12.2016 and pass an order within the stipulated period as fixed by this Court.

For Petitioner : Mr.A.G.Senthilkumar

For Respondents : Mr.M.Pandiya Rajan

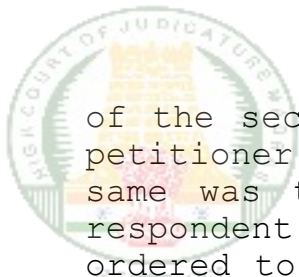
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the first respondent to consider the amendment petition dated 20.02.2019 filed by the petitioner for correction of the father's name of the petitioner as Kuppanan instead of Kuppan in the order copy of the first respondent in Na.Ka.No.6988/2011N dated 07.12.2016 and pass an order within a time frame.

2. Mr.M.Pandiya Rajan, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that the lands in Survey Nos.177/9A, 177/9B and 183/1F to an extend of 0.055 Ares, 0.07.5 Ares and 0.11.0 Ares respectively, situated at Valayankulam Village, Thirupparankundram Taluk, Madurai District are originally belonged to the petitioner's father, namely, Kuppanan and the revenue records stands in the name of Kuppanan. The said Kupannan died on 16.05.2005 and hence the petitioner applied name transfer before the second respondent. At that time the petitioner came to know that the patta was changed in favour of some third persons through the proceedings



of the second respondent by his order dated 18.05.2005. Hence, the petitioner preferred an Appeal before the first respondent and the same was taken on file in Na.Ka.No.6988 of 2011/N and the first respondent by his order dated 07.12.2016 allowed the appeal and ordered to issue fresh patta in favour of the petitioner's father's name. Thereafter, the petitioner approached the second respondent for change of name. But in the operative portion of the order of the first respondent, dated 07.12.2016, it was wrongly mentioned as Kuppan instead of Kuppanan. Hence, the petitioner preferred a written petition for amendment for correction of his father's name in the order dated 07.12.2016, before the first respondent. But the amendment petition was not considered so far. In such circumstances, the petitioner has come forward with the present Writ Petition.

4. The learned Additional Government Pleader drew the attention of the Court at page No.9 of the typeset of papers that since the petitioner has got a favourable order, there is no need to approach the Appellate Authority again.

5. Considering the facts and circumstances, this Court is of the view that in case any aggrieved person is approached the Appellate Authority, the consideration of the request made by the petitioner is depending upon the result of the said third party appeal and in case, no appeal is filed by any person, the request of the petitioner may be considered and accordingly, the first respondent is directed to consider the amendment petition filed by the petitioner dated 20.02.2019 and pass appropriate orders and in accordance with law within a period of 60 days thereon, if there is legal impediment to do so.

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

Sd/-

Assistant Registrar (crl.side)

// 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

1.The Revenue Divisional Officer,
Madurai District,
Madurai.

2.The Tahsildar,
Thirupparankundram,
Madurai District.

+1 CC to M/s.SPL GP (SR-23651[F] dated 02/12/2020)

+1 CC to M/s.A.G.SENTHIL KUMAR, Advocate (SR-23781[F] dated
03/12/2020)

W.P (MD) No.17093 of 2020
01.12.2020

TP (CO)
KB (16.12.2020) 3P 5C