



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

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W.P. (MD) No.18054 of 2020

R.Muthu Lakshmi

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Virudhunagar District.

2.The District Revenue Officer,
Office of the District Revenue Officer,
Collector Office Campus,
Virudhunagar District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

4.The Tahsildar,
Office of the Tahsildar,
Aruppukkottai Taluk,
Virudhunagar District.

5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to rectify the mistake in computer patta (certificate Extract From the Town Survey Land Register) as 81.76 square feet (897 square feet, ie., 2 ¼ cents) instead of 46.00 square feet by considering the petitioner's representation dated 31.01.2020 within the time stipulated by this Court.

For Petitioner

: Mr.I.Sabeer Mohamed

For Respondents

: Mr.K.P.Krishnadoss

Special Government Pleader

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents to rectify the mistake in computer patta (certificate Extract From the Town Survey Land Register) as 81.76 square feet (897 square feet, ie., 2 ¼ cents) instead of 46.00 square feet by considering the petitioner's



representation dated 31.01.2020 within the time stipulated by this Court.

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.

4. The case of the petitioner is that on 21.04.1977, the petitioner's mother had purchased a land to an extent of 897 square feet (2 $\frac{1}{4}$ cents) in Survey No.52, Block No.24, Ward No.7, Ramasampuram, Aruppukkottai Taluk and Post, Virudhunagar District from one Iyammal, W/o. Aiyyanar Thevar, which was duly registered at Sub-Registrar Office, Aruppukkottai, Virudhunagar District, in Document No.422/1977. Thereafter all the revenue records stand in the name of the petitioner's mother. The above said Late. Iyammal's husband, by name, Aiyyanar Thevar, had purchased the above said land to an extent of 897 square feet from one Maruthayee Ammal, W/o. Subbaiya Thevar and Ramar Thevar, S/o. Subbaiya Thevar on 23.06.1971 and the same has been duly registered in the Sub-Registrar office, Aruppukkottai, in Document No.922/1971. After the demise of the said Aiyyanar Thevar, his legal heir, namely, his wife and son had sold the property to the petitioner's mother. Thereafter the petitioner's mother and the petitioner are in possession and enjoyment of the above said property. Subsequently, the petitioner's mother had registered a gift deed in favor of the petitioner on 19.09.2011 with regard to the above said land, which was duly registered at Sub Registrar Office, Aruppukkottai, Virudhunagar District in Document No.6899/2011. Thereafter, all the revenue records stand in the name of the petitioner and the petitioner is paying all the necessary taxes. In these circumstances, the petitioner's mother died on 29.08.2015. Subsequently, when the petitioner wanted to change the patta in her name, she came to understand that the extent of the above said property was wrongly mentioned in computer patta (certificate Extract From the Town Survey Land Register) as 46.00 square feet instead of 81.76 square feet. But, the authorities wrongly mentioned in the computer patta as stated above. Therefore, on 31.01.2020 the petitioner sent a detailed representation to the respondents and requested them to take necessary action to rectify the mistake in the computer patta. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5. This Court is of the considered view that the issue has got to be decided by the Appellate Authority, namely, first respondent. Hence, without going to the merits of the case, this Court directs the Appellate Authority, namely, first respondent to dispose of the representation of the petitioner dated 31.01.2020, within a period of 60 days from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (P&A)

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/ /2021

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 District Collector,
Office of the District Collector,
Virudhunagar District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Collector Office Campus,
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- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Aruppukkottai,
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- 4.The Tahsildar,
Office of the Tahsildar,
Aruppukkottai Taluk,
Virudhunagar District.
- 5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Virudhuangar District.

+1 CC to Mr.I.Sabeer Mohamed ,Advocate,in SR.No.24770 of 2020.

+1 CC to Special Government Pleader SR.No.24887 of 2020.

W.P. (MD)No.18054 of 2020

09.12.2020

(SJ) CO

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