



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.19206 of 2020

C.Rajamani

... Petitioner

-vs-

1.The District Revenue Officer,
Dindigul,
Dindigul District.

2.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to include the property of the petitioner bearing Survey No.32/F of Y.Sinkarakottai Village, Vedasandur Taluk, Dindigul District in Patta No.1326 and also carry out the corrections of name in Patta No.371 with regard to the name that is as Chinnathambi Gounder son of Ramasamy Gounder instead of Ramasamy Gounder son of Chinnathambi Gounder by considering the representation of the petitioner dated 06.10.2020 within a stipulated time.

For Petitioner	: Mr.S.C.Herold Singh
For Respondents	: Mr.K.P.Krishnadoss
1 and 2	Special Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition seeking direction to the respondents to include the property of the petitioner bearing Survey No.32/1F of Y.Sinkarakottai Village, Vedasandur Taluk, Dindigul District in Patta No.1326 and also carry out the corrections of name in Patta No.371 with regard to the name that is as Chinnathambi Gounder son of Ramasamy Gounder instead of Ramasamy Gounder son of Chinnathambi Gounder by considering the representation of the petitioner dated 06.10.2020 within a stipulated time.

2.Heard the learned counsel for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the respondents. By consent, the Writ Petition is disposed of at the stage of admission itself.

3. It is the case of the petitioner that the properties comprised in Survey Nos.32/1B, 32/1D and 32/1F admeasuring 53.50



Cents in Y.Sinkarakottai Village, Vedasandur Taluk, Dindigul District originally belonged to one Saraswathi Ammal, from whom the petitioner's father, namely, Late Chinnathampi Gounder had purchased the said property through a registered document bearing Doc.No.853 of 1990. The patta for the said properties originally stood in the name of the husband and son of his vendor, namely Kailasam Pillai and Muthuveeran Pillai respective in Patta No.331. Though the land in Survey No.32/1F belonged to the petitioner's vendor, it was wrongly included in Patta No.351 which is in the name of Muniyandi, S/o.Periyasamy, Malaiappan, S/o.Karuppan and Muthukalai, S/o. Karuppan, who are in no way connected with the said property. Further, the property comprised in Survey No.68/2J situated at Y.Sinkarakottai Village, Vedasandur Taluk, Dindigul District is inherited by the petitioner from his ancestors for which the petitioner had obtained a patta bearing No.371 by wrongly mentioning the name of Chinnathambi Gounder son of Ramasamy, instead of Ramasamy Gounder son of Chinnathambi Gounder. Since the petitioner has been issued with a patta No.1326 only in respect of the land in Survey Nos.32/1B and 32/1D and the land in Survey No.32/1F has been wrongly included in the patta No.351 and to carry out the name of Ramasamy Gounder son of Chinnathambi Gounder in Patta No.371, the petitioner made a representation to the respondents on 06.10.2020. The said representation has not been considered so far and hence, the petitioner has come forward with the present Writ Petition.

4.Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents would submit that on 17.12.2020 the second respondent has issued notice calling upon the petitioner and four other necessary parties to appear before him on 24.11.2020 and enquiry is going on and the petitioner has not made four other persons as party to this Writ Petition.

5.I find force in the submission of the learned Special Government Pleader that the petitioner has not made the other four persons as party to this Writ Petition and his conduct is deprecated. Though this Writ Petition is liable to be dismissed on that score, considering the fact that such dismissal will give raise to one more round of litigation, this Court, without going into the merits of the matter, direct the respondents to consider the representation of the petitioner dated 06.10.2020 and pass appropriate orders in accordance with law, after affording an opportunity of hearing to the petitioner and also persons, who are likely to be affected, within a period of 120 days from the date of receipt of a copy of this order. It is needless to mention here that it is open to the respondents to give a police complaint, if there is any incorrect/false statements made by the petitioner before the authorities and the police shall register a case on a complaint received and take the offender to task by initiating appropriate proceedings in the criminal court.



6. With the above direction, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The District Revenue Officer,
Dindigul,
Dindigul District.

2. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

+1 CC to SPL GP (SR-2724[F] dated 28/12/2020)

W.P. (MD) No.19206 of 2020

23.12.2020

(NA)

KV(15.02.2021) 3P 4C