



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.01.2020
CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD)No.3660 of 2017

WEB COPY

C.Ramayi

... Petitioner

vs

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai South, Madurai District.

3.The Deputy Tahsildar,
Madurai East, 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 second respondent to dispose the petitioner's review application, dated 22.09.2015 according to law within the stipulated time as fixed by this Court.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.A.Thiyagarajan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the second respondent to dispose the petitioner's review application, dated 22.09.2015 according to law within the stipulated time as fixed by this Court.

2.The petitioner admits that an extent of 35 cents in S.No.72/8 Anupanadi Village, Madurai District, is in the joint holdings of petitioner's family and another family of one Iyyerkudumban. The petitioner's states that the name of his grandfather is Periyampillai and that the brother of his grandfather is Iyyerkudumban. It is also admitted that joint patta was issued to the petitioner.

3.It is the case of the petitioner that his father executed a settlement deed in favour of the petitioner on 26.03.1990 and that he took possession and enjoyment of the same. It is the further case of the petitioner that his name was removed from the revenue records without giving any opportunity. When the petitioner approached the Tahsildar seeking restoration of his name in the



revenue records, his representation was turned down by the Tahsildar by impugned order, stating that the petitioner has sold his share in the property by a document of sale deed, dated 22.09.2010. Challenging the same, the petitioner has approached this Court.

4.The petitioner has not even produced before this Court, the sale deed stated to have been executed by him in favour of third party. Having regard to the facts recorded in the impugned order, stating that the petitioner has conveyed his share in entirety, the petitioner ought to have produced the relevant documents and materials to show that he is entitled to more extent in S.No.72/8 Anupanadi Village, Madurai District, than what he was conveyed in 2010. In such circumstances, this Court is unable to find any error in the order impugned. However, the petitioner may establish his title before the Civil Court and in case, the Civil Court accepts the petitioner as the owner of any other portion of the land in S.No.72/8 Anupanadi Village, Madurai District, it is open to the petitioner to approach the revenue authorities for appropriate relief in accordance with law.

5.Giving such liberty, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Tahsildar,
Madurai South, Madurai District.
- 3.The Deputy Tahsildar,
Madurai East, Madurai District.

+1 CC to Mr.R.SURIYANARAYANAN, Advocate (SR-447[F] dated 07/01/2020)

+1 CC to SPL.GP (SR-675[F] dated 08/01/2020)

W.P.(MD)No.3660 of 2017

07.01.2020