



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1435 of 2019

B. Baby

...Petitioner

-Vs-

1. The District Collector,
Collectorate,
Salem District.

2. The Tahsildar,
Salem West Taluk,
Salem District,
Pin- 636005.

3. The Village Administrative Officer,
Jagirammalayam Village,
Salem West Taluk, Salem District,
Pin- 636302.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to issue a possession certificate and other Revenue Records viz., Adangal, FMB etc., in favour of petitioner in respect of land in S.No.232/2A, 2C, 5, 3 extent of 0.98 Hecs. At Jagirammalayam Village, by considering the petitioner's representations dated 17.09.2018.

For Petitioner : No Appearance

For Respondents: Mr.P.Baladhandayutham
Special Government Pleader.

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the second respondent to issue a possession certificate and other Revenue Records viz., Adangal, FMB etc., in favour of petitioner in respect of land in S.No.232/2A, 2C, 5 and 3 extent of 0.98 Hectares at Jagirammalayam Village, by considering the petitioner's representations, dated 17.09.2018.



2. There is No Appearance for the petitioner. Heard Mr.P. Baladhandayutham, Special Government Pleader appearing for the respondents.

3. The land comprised in Survey No.232/2A, 2C, 5 and 3 to an extent of 0.98 hectares, situated at Jagirammappalayam Village, Salem West Taluk, owned by one Rengaiya Gounder and his son Sengoda Gounder. During the year, 1986, the petitioner got married with the son of Sengoda Gounder. After the demise of the said Sengoda Gounder, since, the petitioner's husband was unsound the share of her father-in-law, it had been handed over to the petitioner and she is in possession and enjoyment of the subject property. While being so, the petitioner's husband went missing and the petitioner applied for certificate to prove her possession and enjoyment of the subject property. Therefore, the petitioner made an application before the first respondent and in turn, the said request was forwarded to the second respondent and it was not considered and resulted in the present writ petition.

4. A perusal of the counter filed by the second respondent revealed that the property comprised in Survey No.232/2A, 2C, 5 and 3 ad-measuring 0.93.0 hectares situated at Jagirammappalayam Village, Salem West Taluk in Patta No.176 stands in the names of 1) Kandasamy, S/o Sengoda Gounder, 2) M.V.Sellamuthu S/o Velappan and 3) J.B.Siva S/o Balasubramanian and the property comprised in Survey No.232/3 ad-measuring 0.09.5 hectares under Patta No.1284 stands in the names of 1) Palanivel S/o Sengoda Gounder and 2) Kandasamy S/o Sengoda Gounder.

5. There is no documentary evidence to show that the petitioner has title over the subject property. No remarks was found in the Village Revenue accounts for the possession of the petitioner. Therefore, the petitioner is not entitled for any certificate as sought for by her.

6. Therefore, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate,
Salem District.

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Salem West Taluk,
Salem District,
Pin- 636005.

3. The Village Administrative Officer,
Jagirammappalayam Village,
Salem West Taluk, Salem District,
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+1cc to the Government Pleader, S.R.No.64803

W.P.No.1435 of 2019

SPD(CO)
RGA(21/12/2021)