



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19320 of 2021

P.Mahalakshmi

...Petitioner

Vs.

1. The District Collector,
Kallakurichi District,
Kallakurichi.

2. The District Revenue Officer,
Kallakurichi District,
Kallakurichi.

3. The Tahsildar,
Sankarapuram Taluk,
Kallakurichi District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 19.08.2021 in accordance with law by cancel the patta issued by the third respondent measuring about 961 sq.feet in Patta No.515 and issued patta total area measuring about 1435 sq.feet in the petitioner's name as per the Sale Deed Document No.4800 of 2017 dated 13.12.2017, registered on the file of Sub Registrar Office, Sankarapuram.

For Petitioner : Mr.R.Srinivasan Rao

For respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for a mandamus to direct the respondents to consider the representation of the petitioner dated 19.08.2021 in accordance with law by cancel the patta issued by the third respondent measuring about 961 sq.feet in Patta No.515 and patta to be issued to the total area measuring about 1435 sq.feet in the petitioner's name as per the Sale Deed Document No.4800 of 2017 dated 13.12.2017, registered before the Sub Registrar Office, Sankarapuram.



2.The case of the petitioner is that he purchased a terraced house and land measuring about 1435 square feet by way of registered Sale Deed vide Document No.6486 of 2017 dated 13.12.2017 registered before the Sub Registrar, Sankarapuram bearing Survey No.232/30 and Patta No.515 and he obtained Encumbrance Certificate from the Sub Registrar Office, Sankarapuram, the said Encumbrance Certificate total area of land measuring about 1435.

3.The petitioner submits that the third respondent issued patta in his name measuring about 981 square feet, the said mistake not rectified and the she appeared before the Tahsildar to rectify the mistake involved in the land measuring about 1435 instead of 981 square feet.

4.The petitioner further submits that she sent a representation to the respondents on 19.08.2021 requesting the respondents to rectify the mistake incurred in his land measuring about 1435 square feet and the patta issued by the Tahsildar mentioned only 981 square feet, but the authorities have not taken any action on the representation.

5.The petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, the writ petition filed.

6.The learned Government Advocate for the respondents would submit that the representation dated 19.08.2021 sent by the petitioner will be considered and appropriate orders will be passed.

7.Heard, learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

8.On going through typed set of papers, it is seen that the petitioner has been regularly paying the house tax for a total area of 1435 square feet and the petitioner has been enjoyment of the above said property.

9.In view of the above facts and circumstances of the case and the submission made by the petitioner as well as the learned Government Advocate for the respondents, this Court is of the view that the respondents shall consider the representation dated 19.08.2021 sent by the petitioner and pass appropriate orders after verifying all the revenue records and the Sale Deed in accordance with law, within a period of three months from the date of receipt of a copy of this order.



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

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

pam

To

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The District Revenue Officer,
Kallakurichi District,
Kallakurichi.
3. The Tahsildar,
Sankarapuram Taluk,
Kallakurichi District.

+1cc to the Government Pleader, Sr.47171

W.P.No.19320 of 2021

GPL[co]
NSK 22/10/2021