



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.21730 of 2021

Asaithambi

...Petitioner

Versus

1. The Revenue Tahsildar,
Tittagudi Taluk,
Cuddalore District.
2. The Surveyor,
Tittagudi Taluk Office,
Cuddalore District.
3. The Village Administrative Officer,
Sirumulai Village Administrative Office,
Tittagudi Taluk,
Cuddalore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing 1st respondent to take necessary action to make correction in Sirumulai Village bearing Survey No.155/1B measuring an extent of 8.1/2 Cents, instead of 8.1/4 Cents, in the Revenue Records based on the Sale Deed dated 11.01.2010 vide Document No.23 of 2010 on the file of Sub Registrar Office, Tittagudi and to consider the petitioner's representation dated 22.01.2021.

For Petitioner : Mr.M.Velmurugan

For RR 1 to 3 : Mr.Yogesh Kannadasan,
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the 1st respondent to take necessary action to make correction in Sirumulai Village bearing Survey No.155/1B



measuring an extent of 8.1/2 Cents, instead of 8.1/4 Cents, in the Revenue Records based on the Sale Deed dated 11.01.2010 vide Document No.23 of 2010 on the file of Sub Registrar Office, Tittagudi and to consider the petitioner's representation dated 22.01.2021.

2.The case of the petitioner is that he had purchased the property by way of a registered sale deed vide in Document No.23 of 2010, dated 11.01.2010 on the file of Sub Registrar Office, Tittagudi, comprised in Survey No.155/1B measuring to an extent of 0.8-1/2 Centts in Sirumulai Village. After completion of registration, he is in possession and enjoyment of the above said property. Subsequently, he requested the first respondent to issue patta in favour of him as per the Sale Deed, dated 11.01.2010, after sub-division was made, the Patta was also issued in favour of him in respect of Survey No.155/1B4 measuring to an extent of 0.3.28 Acres. As per the Sale Deed dated 11.01.2010, he purchased 8.1/2 Cents bearing Survey Number.155/1B measuring to an extent of 3706 Sq.ft. However, the 2nd respondent/Surveyor has wrongly mentioned as his land in F.M.B. sketch and computerized Chitta, as 8.1/4 Cents and surveyed his land with lesser demarcation. In order to make necessary correction in the Revenue Records, he made a representation dated 21.01.2021 before the first respondent/Revenue Tahsildar to make necessary correction in Sirumulai Village bearing Survey No.155/1B measuring to an extent of 8.1/2 Cents, instead of 8.1/4 Cents in the Revenue Records and issue fresh Patta in favour of the petitioner, but, till date, no action has been taken by the respondents. Hence, he has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent/Revenue Tahsildar to consider the petitioner's representation dated 22.01.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 1st respondent/Revenue Tahsildar to consider the petitioner's representation dated 22.01.2021 and pass



appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as necessary parties within a period of six months from the date of receipt of a copy of this order. No costs.

WEB COPY

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

gba

To

1. The Revenue Tahsildar,
Tittagudi Taluk,
Cuddalore District.
2. The Surveyor,
Tittagudi Taluk Office,
Cuddalore District.
3. The Village Administrative Officer,
Sirumulai Village Administrative Office,
Tittagudi Taluk,
Cuddalore District.

+1cc to the Government Pleader, S.R.No.53198

W.P.No.21730 of 2021

SSD (CO)
SU (26/11/2021)