



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8967 of 2021

M.Justin Prakash

...Petitioner

Vs.

The Tahsildar,
Kodaikanal Taluk, Dindigul District.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to update the entry in the computer and in the revenue records by substituting the petitioner's name in respect of 1.72.50 hectares of land in T.S.No.8, Block 10, Ward B, Kodaikanal Town, Dindigul District in the place of Government Tharisu as per the petitioner's representation, dated 03.07.2020.

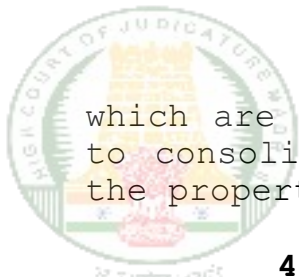
For Petitioner : Ms.J.Anandhavalli
For Respondent : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent to consider the representation made by the petitioner on 03.07.2020, wherein, the petitioner has sought for upgradation of the entry in the computer records and in the revenue records by substituting the name of the petitioner with respect to the subject property.

2. The case of the petitioner is that he was granted a patta with respect to the subject property in T.S.No.08, by virtue of the proceedings, dated 01.07.1982 in Patta No.616. Thereafter, the petitioner approached the respondent and submitted a report to the effect that the patta has not been registered in the computer records. The respondent, thereafter, issued another patta in the name of the petitioner in Patta No.1894, through proceedings, dated 03.08.2017. The petitioner found that there was some discrepancy in the extent of the property and the extent differed from the earlier patta that was granted in patta No.616.

3. The petitioner, in the meantime, purchased the adjacent property also in the year 2015. Thus, the petitioner is in possession and enjoyment of the property in T.S.No.8 and T.S.No.9,



which are adjacent properties and the petitioner, therefore, wanted to consolidate the property and have the single entrance for both the properties.

4. The petitioner on going through the records found that the property in T.S.No.8 came to be shown as Government Waste (Tharisu) lands in the records. The petitioner, immediately, made a representation to the respondent on 03.07.2020 seeking for clarification of the records and to remove the entry made insofar as T.S.No.08 is concerned and to substitute the name of the petitioner by showing the correct extent of the property. The grievance of the petitioner is that the representation made by the petitioner did not evoke any response from the respondent. Left with no other alternative, the present Writ Petition has been filed seeking for appropriate directions.

5. Heard Mr.J.Anandhavalli, learned Counsel appearing on behalf of the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader appearing on behalf of the respondent.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 03.07.2020 and deal with the same on its own merits and in accordance with law and pass appropriate orders, within a period of eight (08) weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the respondent along with all the relevant documents and also a copy of this order.

8. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

+1 CC to M/s.J.ANANDHAVALLI, Advocate SR-18318[F] dated 03/05/2021

+1 CC to M/s.GP (SR-18361[F] dated 03/05/2021)

Order made in
W.P. (MD) .No.8967 of 2021
Dated: 30.04.2021

PM(CO)
TR(09.06.2021) 3P 4C