



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9197 of 2021

S.Kumarayee

... Petitioner

Vs.

1.The District Revenue Officer,
District Collector Office Campus,
Karur - 7.

2.The Revenue Divisional Officer,
Karur,
Karur District.

3.The Tahsildar,
Tahsildar Office,
Karur.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to issue patta in favour of the petitioner in respect of the land measuring an extent of 71 cents in New Survey No.362, InamKarur Village, Karur Taluk, Karur District, on the basis of the registered sale deed dated 30.08.1971 in Doc.No.2814/1971 by considering the representation 29.11.2020.

For Petitioner	: Mr.M.P.Senthil
For Respondents	: Mr.P.Thilak Kumar, Standing Counsel for Government

O R D E R

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the third respondent to issue patta in favour of the petitioner in respect of the land measuring an extent of 71 cents in New Survey No.362, InamKarur Village, Karur Taluk, Karur District, on the basis of the registered sale deed dated 30.08.1971 in Doc.No.2814/1971 by considering the representation 29.11.2020.

4. The case of the petitioner is that the land in Survey No.574, New Survey No.362, Inam Karur Village, Karur Taluk measuring



an extent of 71 cents belongs to the petitioner by virtue of a registered sale deed, dated 30.08.1971. According to the petitioner, she is in possession and enjoyment of the above said property for more than 50 years. Now, she wants to develop agricultural activities in the said land and when she approached the bank officials for obtaining bank loan, they requested for revenue records related to the property. On verification, it came to light that due to inadvertence, the revenue records stand in the name of the petitioner's deceased husband. Further, she came to know that the property has been subdivided as Survey No.362/1E, without any notice to the petitioner. On 29.11.2020, the petitioner made a representation to the 1st and 3rd respondents, to rectify the error and to issue revenue records in the petitioner's name, by canceling the subdivisions made. During the enquiry, it was also clarified with the authorities that the remaining heirs of the petitioner's husband also placed their no objection for mutation of revenue records in favour of the petitioner. The grievance of the petitioner is that even though the respondents have received the representation of the petitioner, dated 29.11.2020, they have not taken any steps. Hence, this Writ Petition.

5. The learned counsel for the petitioner would state that it would be suffice, if a direction is issued to the respondents, to consider and dispose of the representation of the petitioner.

6. The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in her representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 29.11.2020, on merits and in accordance with law and take appropriate action, within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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:

1.The District Revenue Officer,
District Collector Office Campus,
Karur - 7.

2.The Revenue Divisional Officer,
Karur,
Karur District.

3.The Tahsildar,
Tahsildar Office,
Karur.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-18722[F] dated 03/06/2021)

+1 CC to M/s.SPL GP (SR-18830[F] dated 04/06/2021)

Order made in
W.P (MD)No.9197 of 2021
03.06.2021
(1/2)

KK(21.06.2021) 3P 6C