



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :04.06.2021
CORAM
THE HONOURABLE MRS.JUSTICE J.NISHA BANU
W.P (MD)No.9624 of 2021

WEB COPY
S.Chinnaiya

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Melur, Madurai District.

2.The Thasildhar,
Taluk Office,
Melur, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 16.11.2018 and reminder dated 23.04.2021 and to restore the Patta No.282 which stood in petitioner's name regarding the properties in SR.Nos.410/1-A, 410/1-D and 382/1 measuring total extent of 6 acres and 17 cents in Kongampatti Village, Melur Taluk, Madurai District and to do the necessary mutation in the revenue records of Chitta, A-register and Adangal to denote the petitioner as the owner of the above said properties.

For Petitioner : Mr.Mohamed Abbas

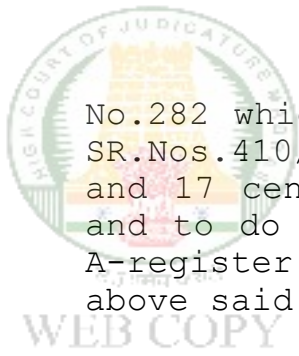
For Respondents : Mr.P.Thilak Kumar,
Standing Counsel for Government

ORDER

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 first respondent to consider the petitioner's representation dated 16.11.2018 and reminder dated 23.04.2021 and to restore the Patta



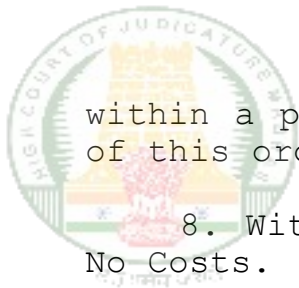
No.282 which stood in petitioner's name regarding the properties in SR.Nos.410/1-A, 410/1-D and 382/1 measuring total extent of 6 acres and 17 cents in Kongampatti Village, Melur Taluk, Madurai District and to do the necessary mutation in the revenue records of Chitta, A-register and Adangal to denote the petitioner as the owner of the above said properties.

4. According to the petitioner, he purchased the property in SR.No.410/1-A and SR.No.410/1-D measuring an extent of 1 acre 72 cents through registered sale deed dated 09.03.1981 from one Natturaja @ Veerannanambalam and the same has been duly registered in the office of the Sub-Registrar, Melur who had received the property from the Government by way of assignment in the classification of 'non-panjamar landless poor individuals' in Ref-Dkt No.2797-79 dated 30.04.1970 by proceedings of the Special Tahsildar (assignment), Melur with certain conditions. Similarly, the petitioner purchased another property in SR.No.382/1 measuring an extent to 4 acres 45 cents through registered sale deed dated 15.10.1980 from one Rajamani who had also received the property from the Government by way of assignment in Ref-Dkt No.2797-79 dated 30.04.1970. Subsequently, the patta was also changed in the name of the petitioner. However, the second respondent without any notice to the petitioner, removed his name from the said patta and denoted the land as 'porompoke' and other revenue records were mutated as 'panjamar tharisu'. Therefore, the petitioner approached the first respondent with a representation dated 16.11.2018 to restore the patta in his name. Since no action was taken by the first respondent, he sent another representation as reminder to the first respondent on 23.04.2021, yet no action was taken by the first respondent. Hence, this writ petition.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to 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 his representations or in this Writ Petition, the respondents are directed to consider the representations of the petitioner dated 16.11.2018 and 23.04.2021, and in accordance with law and pass appropriate orders



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.

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Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Revenue Divisional Officer,
Revenue Divisional Office,
Melur, Madurai District.

2.The Thasildhar,
Taluk Office,
Melur, Madurai District.

+1 CC to M/s.SPL GP (SR-18913[F] dated 07/06/2021)

W.P (MD) No.9624 of 2021
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KK(15.06.2021) 3P 4C