



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10278 of 2021

(Through Video Conferencing)

and

WMP (MD) .No.7966 of 2021

S.Padmavathi

... Petitioner

Vs.

1.The District Collector

District Collector Office,
Sivagangai District

2.The District Revenue Officer,

District Revenue Office
Manamadurai, Sivagangai District.

3.The Tahsildar

Tahsildar Office,
Manamadurai
Sivagangai District.

4.The Village Administrative Officer,

K.K.Pallam
Mankulam Panchayat,
Manamadurai
Sivagangai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to issue patta in favour of the petitioner in Survey No.214/2 to the extent of 12 cents at Alankulam, Theethaankulam village, Manamadurai Taluk, Sivagangai District.

For Petitioner

:Mr.K.Prabhu

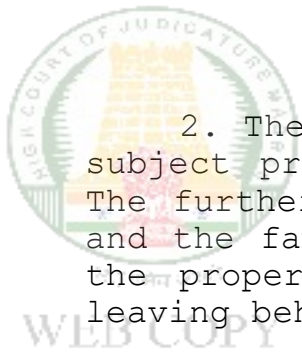
For Respondent

:Mr.S.Shanmugavel

Government Advocate (civil)

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 30.04.2021, wherein, the petitioner has sought for correcting the name of the husband of the petitioner in patta no.842 and to correct the extent of the property that was mentioned in the patta.



2. The case of the petitioner is that her husband purchased the subject property through a registered sale deed dated 21.04.1980. The further case of the petitioner is that a house was constructed and the family of the petitioner is in possession and enjoyment of the property. The husband of the petitioner died on 23.03.2019 leaving behind the petitioner and her children.

3. The petitioner took steps to change the patta in her name. Therefore, when she went through the patta issued in the name of her husband in patta No.842, she found that the name of her husband has not been correctly mentioned in the patta and the extent of the property has been mentioned as 5 cents instead of 12 $\frac{3}{4}$ cents. The petitioner therefore, made a representation to the respondents to carry out the corrections and to issue fresh patta in the name of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Government Counsel appearing on behalf of the respondents.

5. 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 third respondent to consider the representation made by the petitioner on 30.04.2021 and deal with the same on its own merits and pass appropriate orders within six weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

6. The petitioner is directed to make a fresh representation to the third respondent enclosing all the relevant documents along with a copy of this order.

7. This writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR 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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector
District Collector Office,
Sivagangai District

2.The District Revenue Officer,
District Revenue Office
Manamadurai, Sivagangai District.

3.The Tahsildar
Tahsildar Office, Manamadurai
Sivagangai District.

4.The Village Administrative Officer,
K.K.Pallam
Mankulam Panchayat,
Manamadurai
Sivagangai District.

+1 CC to M/s.K.PRABHU, Advocate (SR-19615[F] dated 18/06/2021)

+1 CC to M/s.SPL GP (SR-19765[F] dated 21/06/2021)

W.P. (MD) No.10278 of 2021
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KB(28.06.2021) 3P 7C