



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 30.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.10794 of 2021

(Through Video Conferencing)

S.Sumayaa

... Petitioner

Vs.

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

2.The Tahsildar,
Taluk Office,
Melur, Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner representation dated 29.03.2021 and reminder dated 10.06.2021 and to restore the patta No.2848 which was standing in the petitioner's name regarding the properties in SR.No.20/1 and 20/2 in total measuring an extent of 6 acres 77 cents in Keeranoor Village, Melur Taluk, Madurai District and to do the necessary mutation in the revenue records of Chitta, A-register and Adangal to denote as the petitioner is the owner of the above said properties.

For Petitioner

:Mr.E.Mohamed Abbas

For Respondents

:Mr.M.Lingadurai

Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 29.03.2021, wherein, the petitioner has sought for the restoration of patta in her name with respect to the subject property.

2. The case of the petitioner is that the property in question originally were Government lands and it was classified subsequently as non panchamar landless poor in the year 1961. Accordingly, it was assigned in favour of the vendor of the petitioner. The petitioner purchased this property through registered sale deed dated 22.03.2013. Thereafter, patta was also issued in the name of the petitioner in Patta No.1156. The grievance of the petitioner is that the second respondent without issuing any notice and without conducting any enquiry had changed the patta and brought the property within the classification of Panchamar Tharisu and the lands are now treated as poramboke lands. Hence, the petitioner



made a representation on 29.03.2021 to the first respondent to restore the patta in the name of the petitioner. Since the same was not considered, this writ petition has been filed before this Court seeking for appropriate directions.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. 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 first respondent to consider the representation made by the petitioner on 29.03.2021 and deal with the same on its own merits and in accordance with law and pass orders within a period of eight 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.

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

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CSIII)

// 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.

To

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

2.The Tahsildar,
Taluk Office,
Melur, Madurai.



+1 CC to M/s.E.MOHAMED ABBAS, Advocate (SR-20972[F] dated 02/07/2021)

+1 CC to M/s.SPL GP (SR-20893[F] dated 01/07/2021)

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