



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.13925 of 2021

WEB COPY
Arunasalam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

2.The Thasildar,
Taluk Office, Alangudi,
Pudukottai District.

3.Chelladurai

4.Somasundaram

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the fourth respondent name and the petitioner deceased brother Chinnaiah name from the Patta No.1282 issued for Survey No.13/6A, situated at Kulamangalam South Revenue Village, Alangudi Taluk, Pudukottai District by considering the petitioner representation, dated 25.06.2021.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.P.Subbaraj,

Counsel for State for R1 and R2

O R D E R

The petitioner seeks a mutation of the patta so as to remove the name of the fourth respondent and that of his deceased brother therefrom.

2.The petitioner states that the property bearing Survey No.13/6A at Kulamangalam South Revenue Village, Alangudi Taluk, Pudukottai District, belongs to him. It is stated that a patta was issued bearing Patta No.1282 and that such patta contains the names of Vellaiya Thondaiman, Chinnaiah and the fourth respondent herein. The petitioner states that his brother Chinnaiah sold his share in the property to the fourth respondent and two others in the year 1995. Thereafter, the property was sub-divided as Survey No.13/6A. According to the petitioner, he is the sole owner of the sub-divided property bearing Survey No.13/6A. In spite of submitting a representation in this connection on 25.06.2021 to both the respondents 1 and 2 herein, it is stated that no action was taken



thereon.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 2 herein.

4.Given the fact that the relevant patta contains the names of three persons, including the fourth respondent herein, a positive direction cannot be issued with regard to the grant of a revised patta as prayed for by the petitioner. Nonetheless, the respondents 1 and 2 herein should consider and dispose of the petitioner's representation on merits.

5.Accordingly, without going into the merits of the matter, the respondents 1 and 2 are directed to consider the petitioner's representation dated 25.06.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, respondents 3 and 4 herein, any other legal heirs of Chinnaiah and Vellaiya Thondaiman or his legal heirs, if any. Such reasoned order shall be passed within a period of three months from the date of receipt of a copy of this order.

6.W.P(MD).No.13925 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

2.The Thasildar,
Taluk Office, Alangudi,
Pudukottai District.

+1 CC to M/s.The Special Government Pleader (SR-25895[F] dated 11/08/2021)

W.P. (MD)No.13925 of 2021

10.08.2021

RS (23.08.2021) 2P 4C