



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD)No.15077 of 2021

S.Rajalakshmi

... Petitioner

Vs.

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

2.The Tahsildar,
Taluk Officer, Melur,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 03.07.2021 and to issue patta in her name regarding the properties in RSR.No.26/6A, Plot No.5A, an total extent of 2014 ½ square feet in SSK Nagar, 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 R-1 & R-2 : Mr.R.Baskaran,
Counsel for State

ORDER

The petitioner seeks the issuance of a patta in respect of the properties in RSR.No.26/6A, Plot No.5A, of an extent of 2014 ½ square foot in SSK Nagar, Melur Taluk, Madurai District

2. According to the petitioner, the aforesaid property was purchased by her under a registered sale deed dated 05.03.2010, which was registered as Document No.1164 / 2010. The petitioner claims that the said land was assigned to the original assignee under the category of non-panchamar landless poor individuals. Such assignment was subject to the condition that the land should not be alienated for a period of ten years. It is stated that the predecessor in title of the petitioner had conveyed the land after the lapse of the aforesaid ten year period.



3. In these circumstances, the petitioner alleges that the second respondent removed his name from the revenue records and denoted the land as poromboke and also mutated the revenue records to indicate that the lands are Panjamar Tharisu. The petitioner states that the aforesaid unilateral mutation of the revenue records is contrary to proceedings dated 06.07.2012 of the District Collector, Madurai. After submitting a representation dated 03.07.2021, the present Writ Petition is filed in view of the non-consideration of such representation.

4. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both the respondents.

5. The petitioner has produced the sale deed dated 20.06.2008 in favour of her vendor. The sale deed in favour of the petitioner dated 05.03.2010 has also been produced. In addition, the petitioner has produced a copy of the patta in the name of the petitioner's vendors. As such, the petitioner has produced sufficient material to warrant consideration of her representation.

6. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 05.07.2021 and dispose of the same by a reasoned order in accordance with law after providing a reasonable opportunity to the petitioner and any other person who would be affected by such decision. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order.

7. W.P.(MD).No.15077 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 District.

+1 CC to M/s.SPL GP (SR-27366[F] dated 26/08/2021)

W.P (MD) No.15077 of 2021
25.08.2021

PS (CO)
SB(03.09.2021) 3P 4C