



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.14561 of 2021

WEB COPY

Deepan

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District,
Virudhunagar.

4. Ramkumar,
Village Administrative Officer,
Thulukkankulam,
Tiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to dispose the petitioner's complaint which had been forwarded by the second respondent in communication in Na.Ka.Aa.2/1795/2021 dated 30.03.2021 within a time frame as fixed by this Court.

For Petitioner : Mr.C.Suresh Kannan

For Respondent : Mr.P.Subbaraj, Counsel for the State.
for R1 to R3

O R D E R

The petitioner had applied for commutation of patta and made a complaint in such regard against the fourth respondent. He seeks the expeditious disposal thereof.

2. The petitioner states that he purchased the property bearing Survey No.75/1C, Thulukkankulam, Tiruchuli Taluk, Virudhunagar District, under a registered sale deed bearing Document No.2531 of 2020 from the legal heirs of Vellaikatha Mooppar. Subsequent to such



purchase, the petitioner made an online requisition to the fourth respondent for change of patta. The petitioner alleges that the fourth respondent demanded a bribe for such purpose and lodged a complaint before the first respondent against the fourth respondent. It is stated that such complaint was forwarded by the first respondent to the second respondent and by the second respondent to the third respondent. In spite of attending a couple of hearings in this connection, it is stated by the petitioner that no effective action has been taken thereon. The present writ petition is filed in these facts and circumstances.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3. He submits that if an appropriate application for patta mutation is submitted, the jurisdictional Tahsildar would consider and dispose of the same on merits.

4. Although the petitioner complains of the conduct of the fourth respondent herein, it is evident from the documents on record that the petitioner had requested for a mutation of patta consequent to the purchase of the property on 30.01.2020. The authority to effect such mutation of patta is vested with the jurisdictional Tahsildar. Therefore, the petitioner should have approached the jurisdictional Tahsildar with a request for such patta.

5. Accordingly, without going into the merits of the matter, the petitioner is granted leave to submit a fresh application for mutation of patta in respect of the property bearing Survey No.75/1C before the jurisdictional Tahsildar. Such application/representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the jurisdictional Tahsildar is directed to consider such application and dispose of the same by a reasoned order in accordance with law within a period of two months from the date of receipt thereof. Such reasoned order shall be passed after providing a reasonable opportunity to the petitioner.

6. W.P(MD).No.14561 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District,
Virudhunagar.
4. Village Administrative Officer,
Thulukkankulam,
Tiruchuli Taluk,
Virudhunagar District.

+1 CC to M/s.GP (SR-26653[F] dated 18/08/2021)

W.P. (MD) No.14561 of 2021

17.08.2021

RD(26.08.2021) 3P 6C