



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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W.P. (MD)No.16503 of 2021

1. K.Vasudevan
2. V.Savithra
3. E.Muthulakshmi
4. S.Ambili
5. S.Sowmiya

... Petitioners

Vs.

1. The Government of Tamil Nadu, Rep. by
The Additional Chief Secretary and
Commissioner for Land Administration,
Ezhilagam, Chennai - 5.
2. The District Collector,
District Collectorate,
Madurai.
3. Revenue Divisional Officer,
Tirumangalam,
Madurai District.
4. The Assistant Director (Surveys),
District Collectorate,
Madurai.
5. The Tahsildar,
Taluk Office, Tirumangalam,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to issue a joint patta in the names of the petitioners, with respect to an extent of 0.15.5 Hectares of Punja lands in S.No.88/7 in M.Puliangulam Village, Thirumangalam Taluk, Madurai District, instead of entry of Patta bearing No.3331, shown in the name of the Chief Educational Officer, Government HS School in the current UDR Records.

For Petitioner	: Mr.S.Kadarkarai
For Respondents	: Mr.K.S.Selva Ganesan, Counsel for State



O R D E R

The petitioners seek a direction for the issuance of a joint patta in the names of the petitioners in respect of 0.15.5 hectares of punja land in Survey No.88/7, at M.Puliangulam Village, Thirumangalam Taluk, Madurai District.

2. The petitioners trace title to the above mentioned property through a sale deed dated 30.05.1994 executed by one Gurusamy Maniam in favour of one Manonmani. It is stated that the said Manonmani executed a sale deed dated 28.01.2008 in favour of the second to fifth petitioners herein and K.Subramanian. A gift deed was executed thereafter by K.Subramanian, the first petitioner's brother, in favour of the first petitioner. The petitioners also rely upon the relevant Village Accounts which reflect the name of one of the predecessors-in-interest of the petitioners, namely, Gurusamy Maniam. In these circumstances, the petitioners state that they are entitled to the issuance of a joint patta as recommended under the communication dated 05.09.2018 from the Firka Surveyor. The petitioners also point out that it has come to their notice that a patta bearing No.3331 was wrongly issued in the name of the Chief Educational Officer, Government High School.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the Revenue Divisional Officer is the appropriate authority to consider the request in view of the grant of a patta to the Chief Educational Officer, Government High School.

4. The petitioners have enclosed copies of the title documents under which the claim is made. In addition, the correspondence between the petitioner and the various Government authorities, including the report of the Firka Surveyor dated 05.09.2018 have been enclosed. In addition, the extract from the Village Accounts reflecting the name of one of the predecessors-in-interest is enclosed. In these circumstances, the petitioners are entitled to the consideration of their representation.

5. Accordingly, without going into the merits of the matter, the third respondent herein is directed to consider the petitioners' representation dated 27.08.2020 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioners, the party in whose name Patta No.3331 was issued and any other person who would be affected by the outcome. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order.



6. W.P(MD).No.16503 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar(CS)

To

1. The Additional Chief Secretary,
The Government of Tamil Nadu,
Commissioner for Land Administration,
Ezhilagam, Chennai - 5.
2. The District Collector,
District Collectorate,
Madurai.
3. Revenue Divisional Officer,
Tirumangalam,
Madurai District.
4. The Assistant Director (Surveys),
District Collectorate,
Madurai.
5. The Tahsildar,
Taluk Office, Tirumangalam,
Madurai District.

+1 CC to M/s.S.KADARKARAI, Advocate (SR-29189[F] dated 15/09/2021)

+1 CC to M/s.SPL. GP (SR-29349[F] dated 16/09/2021)

W.P. (MD) No.16503 of 2021
15.09.2021

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