



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.16837 of 2021

WEB COPY

R.Perumal

... Petitioner

Vs.

1.The District Revenue Officer,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukottai Revenue Division,
Virudhunagar District.

3.The Tahsildar,
Aruppukottai Taluk Office,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents No.2 and 3 to dispose of the proceedings vide its Number in O.Mu.Aa4/5143/2021 dated 08.07.2021 to correct the error made in Patta No.143 and to include the punja land in Survey No.50/4 to an extent of 0.07.50 Ares situated in Mettu Thottiyankulam, Aruppukottai Taluk, Virudhunagar District in the petitioner's patta No.143 along with the other properties on the basis of the petitioner's representation dated 02.07.2021 within the time fixed by this Hon'ble Court.

For Petitioner : Mr.R.Rajaraman

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

ORDER

The petitioner seeks the rectification of a perceived anomaly in Patta No.143.

2. The petitioner states that the land bearing Survey No.50/4 of an extent of 0.07.50 Ares at Mettu Thottiyankulam, Aruppukottai Taluk, Virudhunagar District was originally owned by his father. The petitioner cites the settlement register in the name of his father Mr.P.Ramasamy. After the death of his father, the petitioner states that an oral partition was made in the year 1970 between himself and his elder brother, Ramasamy. On such basis, it is stated that the relevant revenue records were mutated



and Patta No.143 was issued in favour of the petitioner. However, the petitioner states that Survey No.50/4 has been erroneously omitted from Patta No.143. The present Writ Petition is filed for the purpose of rectifying such error.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the second and third respondents may be directed to consider the petitioner's representation dated 02.07.2021 and dispose of the same on merits and in accordance with law.

4. The petitioner has enclosed the settlement land register in respect of several survey numbers including Survey No.50/4. As regards Survey No.50/4, the owner is indicated as P.Ramasamy Mooper. The petitioner traces title through him and refers to an oral partition as between himself and his brother. Since the petitioner traces title through his father, it becomes necessary to put his brother, Ramasamy, and any other legal heirs of his late father on notice before a decision is taken on the application for rectification of Patta No.143.

5. Accordingly, without going into the merits of the matter, the second and third respondents herein are directed to consider the petitioner's representation dated 02.07.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, his brother, Ramasamy, and any other legal heirs of his late father P.Ramasamy Mooper. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.16837 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (W)

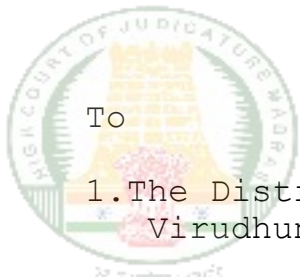
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/ /2021

Sub Assistant Registrar(CS)

RM/LM

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 District Revenue Officer,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukottai Revenue Division,
Virudhunagar District.

3.The Tahsildar,
Aruppukottai Taluk Office,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-29932[F] dated 22/09/2021)

+1 CC to M/s.R.RAJARAMAN, Advocate (SR-29705[F] dated 21/09/2021)

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RK (29.09.2021) 3P 6C