



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17267 of 2021

WEB COPY

A.Mani

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai District.

3.The Tahsildar,
Revenue Department,
Sivagangai,
Sivagangai 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 third respondent to carry out necessary changes in the revenue records as per the order passed by the second respondent dated 21.01.2013 bearing Na.Ka.Ce2/829/2013 and consequently to issue the corrected survey number as 131 with extent 1.26.0 hectares in the Patta No.142 land situated at Perumalpatti, Salur Groups, Sivagangai District.

For Petitioner : Mr.R.Sarvanan

For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks a direction for rectification of the revenue records as per the order dated 21.01.2013 of the District Revenue Officer.

2. The petitioner states that his late father, Alagan, purchased the land bearing Survey No.131 of an extent of 1.26.0 Hectares from one Mr.K.Arunachalam. After the demise of his father, the petitioner states that a patta was issued in the names of his brother, Ramasamy, and himself, bearing Patta No.142. However, the survey number was wrongly mentioned as Survey No.131/1 instead of Survey No.131.

3. Therefore, the petitioner submitted a representation to the second respondent. Upon conducting an inquiry in such regard,



the second respondent passed an order dated 21.01.2013 by which he directed the Tahsildar to rectify the error in Patta No.142. Subsequently, the Tahsildar, in turn, called upon the Regional Deputy Tahsildar and the Chief Land Surveyor to carry out such rectification and report thereon. However, the petitioner states that the rectification has not been carried out till date, and that the Tahsildar by communication dated 15.06.2016 has conveyed to the petitioner's brother that the relevant software does not enable such correction to be carried out and that, therefore, action would be taken after obtaining permission in such regard.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation may be considered and disposed of after taking into account the earlier orders in such regard.

5. The petitioner has enclosed a copy of the order dated 21.01.2013 of the District Revenue Officer. The said order is categorical and directs the Tahsildar, Sivagangai to rectify Patta No.142 as directed therein. In spite of such order, it appears that such rectification has not been carried out till date by citing difficulties associated with the relevant software. Therefore, the petitioner has made out a case for the consideration of his representation by taking into account the order of the District Revenue Officer dated 21.01.2013. This exercise should be completed within a reasonable time frame given that it has been pending for a considerable period.

6. Accordingly, the third respondent herein is directed to consider the petitioner's representation dated 08.07.2020 for rectification of the error in Patta No.142. The third respondent shall take into account the order of the District Revenue Officer dated 21.01.2013 and complete the exercise within a period of two (2) months from the date of receipt of a copy of this order.

7. W.P.(MD).No.17267 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Crl side)

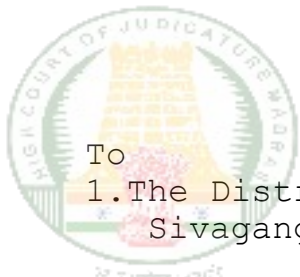
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/ /2021

Sub Assistant Registrar(CS)

tsg/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



To

1.The District Collector,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai District.

3.The Tahsildar,
Revenue Department,
Sivagangai,
Sivagangai District.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-30415[F] dated 27/09/2021)

+1 CC to M/s.SPL.GP (SR-30509[F] dated 28/09/2021)

**W.P (MD) No.17267 of 2021
27.09.2021**

RK (05.10.2021) 3P 6C