



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.17453 of 2021

A.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangi.

2.The Revenue Divisional officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Kalaiyarkovil Taluk,
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 respondents to consider and dispose of the representation dated 04.11.2019 filed by this petitioner in accordance with law.

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

ORDER

The petitioner seeks a direction for the consideration of his representation dated 04.11.2019, by which he seeks rectification of the chitta in respect of the land bearing Survey No.150/16 at Marathur Village, Kalaiyarkovil Taluk, Sivagangai District.

2.The petitioner states that the above mentioned land was assigned to him under assignment patta No.12/1407, dated 09.09.1997. Thereafter, it is stated that the village "A" Register and patta in respect of the said land was mutated in his favour. Upon computerisation of the land records, the petitioner alleges that a wrong entry was made in the chitta by showing the relevant land as Government land. Therefore, the petitioner submitted a representation to the respondents herein. On account of the alleged



failure of the respondents to act thereon, the present Writ Petition has been filed.

3.Mr.P.Subbaraj, learned Counsel for the State, accepts notice on behalf of all the respondents. He submits that the second respondent may be directed to consider and dispose of the petitioner's application. He draws reference to the communication dated 27.05.2021 from the Thasildar to the Revenue Divisional Officer.

4.The petitioner has enclosed a copy of the assignment order dated 09.09.1997 in his favour. Such assignment order is in respect of Survey No.150/16 and indicates an extent of 7 Ares. In addition, the petitioner has enclosed a copy of the relevant patta. Patta No.1145 pertains to Survey No.150/16 and relates to an extent of 7 Ares. Therefore, the petitioner is entitled to the consideration of his representation. However, it should be ascertained whether the assignment was cancelled subsequently for breach of conditions stipulated in the assignment order.

5.Accordingly, without rendering any findings on the merits of the matter, the second respondent is directed to consider the petitioner's representation dated 04.11.2019 and dispose of the same by a reasoned order within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

6.W.P.(MD)No.17453 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Collector,
Sivagangai District,

<https://hcservices.sivagangai.org/hcservices/>



2.The Revenue Divisional officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-30593[F] dated 29/09/2021)

W.P (MD) No.17453 of 2021
28.09.2021

MGJ(06.10.2021) 3P 5C