



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.17270 of 2021

Savarimuthu

... Petitioner

Vs.

1.The District Revenue Officer,
Thiruchirapalli District.

2.The Revenue Divisional Officer,
Srirengam Revenue Divisional Office,
Thiruchirapalli District.

3.The Tahsildar,
Manapparai Taluk Office,
Thiruchirapalli 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 herein to survey the land in Survey Nos.224/1B1 and 224/1B2, to an extent of 10 Cents of land, in Kannudayanpatti Village, Manapparai Taluk, Thiruchirappalli District, under Section 9 of the Tamil Nadu Survey and Boundaries Act, 1923 and to issue patta on the basis of the petitioner's representation dated 01.02.2021 within the time frame fixed by this Court.

For Petitioner : Mr.R.Rajaraman

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

ORDER

The petitioner seeks a survey of the land bearing Survey No.224/1B1 and Survey No.224/1B2 of an extent of 10 Cents in Kannudayanpatti Village, Manapparai Taluk, Thiruchirappalli District and for the issuance of a patta on such basis.

<https://hcmca.cemilts.gov.in/hcmca/>



2. The petitioner states that his grandfather, Savarimuthu Udiyar, purchased 19 Cents of land in Survey No.224/1 under Document No.850/1932 dated 27.05.1932. Upon purchase thereof, the petitioner's grandfather was in possession and enjoyment of such land. Subsequently, the petitioner's grandfather along with his son, Rabel Udiyar, sold 9 Cents in Survey No.224/1B in favour of one Savariammal under Document No.2072/1955 dated 11.06.1955.

3. According to the petitioner, upon sale of the said 9 Cents of land, the petitioner's grandfather had retained 10 Cents of land. Such land was not conveyed to any person thereafter. However, during the transition to the UDR scheme, it is stated that it was erroneously recorded that the said land is owned by one Ganasowdari. Therefore, the petitioner applied to the District Revenue Officer for rectification of the error. By order dated 24.08.2017, the District Revenue Officer accepted the contentions of the petitioner. However, it is stated that a calculation error was committed in such order while converting 10 Cents into Ares. As a result, the revenue records reflect that the petitioner owns 7.41 Cents instead of 10 Cents. The present Writ Petition is filed in these facts and circumstances.

4. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the first respondent may be directed to examine as to whether a conversion error was committed, as contended by the petitioner, and pass orders thereon on merits and in accordance with law.

5. The petitioner has enclosed a copy of the order dated 24.08.2017 of the District Revenue Officer. On perusal thereof, it is clear that the District Revenue Officer has referred to the sale of 9 Cents by the petitioner's grandfather and Rabel Udiyar under Document No.2072/1955 dated 11.06.1955. In addition, significantly, the order of the District Revenue Officer also records the fact that there have been no conveyances in respect of the relevant property from 1989 onwards. Therefore, *prima facie*, it appears that there may have been a conversion error as contended by the petitioner. Hence, the petitioner is entitled to a direction for the re-consideration of the order dated 24.08.2017 only from the perspective of the conversion of 10 Cents into Ares.

6. Accordingly, the first respondent herein is directed to consider the petitioner's representation dated 01.02.2021 by taking into account the observations contained in this order. Upon such re-consideration, the first respondent is directed to pass a reasoned order within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.



7. W.P.(MD).No.17270 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

WEB COPY // True Copy //

/ /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 concerned.

To

- 1.The District Revenue Officer,
Thiruchirapalli District.
- 2.The Revenue Divisional Officer,
Srirengam Revenue Divisional Office,
Thiruchirapalli District.
- 3.The Tahsildar,
Manapparai Taluk Office,
Thiruchirapalli District.

+1 CC to M/s.R.RAJARAMAN, Advocate (SR-30300[F] dated 27/09/2021)

+1 CC to M/s.SPL.GP (SR-30465[F] dated 28/09/2021)

**W.P (MD) No.17270 of 2021
27.09.2021**

MGJ(08.10.2021) 3P 6C