



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.18198 of 2021

WEB COPY

1.Karnan

2.A.Thangamani

3.R.Vinoth

... Petitioners

Vs.

The Tahsildar,
Madurai North Taluk,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondent to modify the pattadhar name in the existing patta for the land in S.No.1392/4, Ward No.10 situated at Alwarpuram, Madurai Town "Om Thayamman Arulmigu Muthukkaruppa Swamy Kumbidum 3 Vagaiyara Pangaligal" instead of "Om Thayamman Arulmigu Muthukkaruppa Swamy Vazhipattu Uravinmurai" based on the petitioner's representation dated 16.08.2021, within the time frame fixed by this Hon'ble Court.

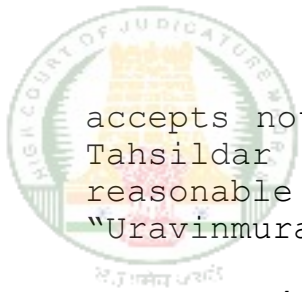
For Petitioners : Mr.V.Ayyadurai
For Respondent : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioners seek a direction to modify the name of the pattadhar by substituting the existing name, namely, "Om Thayamman Arulmigu Muthukkaruppa Swamy Vazhipattu Uravinmurai" ("the Uravinmurai") with "Om Thayamman Arulmigu Muthukkaruppa Swamy Kumbidum 3 Vagaiyara Pangaligal".

2. The petitioners claim that the property bearing Survey No.1392/4 belongs to their ancestors. An unregistered sale deed dated 23.01.1906 is cited in support of title. The petitioners point out that the patta was issued earlier in the name of one of the petitioner's ancestors, namely, Sakkarai Servai. Subsequently, it is stated that the patta was mutated in the name of the "Uravinmurai". According to the petitioners, only three (3) families are entitled to the relevant property and, therefore, the request for rectification of the name of the pattadhar.

3. Mr. K.S.Selva Ganesan, learned counsel for the State,
<https://hcservices.ecourts.gov.in/hcservices/>



accepts notice on behalf the sole respondent. He submits that the Tahsildar may be directed to conduct an enquiry by providing a reasonable opportunity to all the members of the relevant "Uravinmurai" before taking a decision.

4. The petitioners have enclosed a sale deed, which does not appear to be registered. In addition, a resolution passed by the "Uravinmurai" and signed by about 51 members of such "Uravinmurai" is enclosed. Since the patta currently stands in the name of the "Uravinmurai", all the members thereof should be put on notice before a decision is taken.

5. Subject to the above observations, W.P.(MD).No.18198 of 2021 is disposed of by directing the respondent to consider the petitioners' representation dated 16.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioners and all the members of "Om Thayamman Arulmigu Muthukkaruppa Swamy Vazhipattu Uravinmurai". Such reasoned order shall be issued within a period of four (4) months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr/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

The Tahsildar,
Madurai North Taluk,
Madurai District.

+1 CC to M/s.V.AYYADURAI, Advocate (SR-31868[F] dated 08/10/2021)

W.P (MD)No.18198 of 2021
08.10.2021

RD(21.10.2021) 2P 3C