



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.19031 of 2021

WEB COPY

Pandurangan

... Petitioner

Vs.

1.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

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

3.The Tahsildar,
Aruppukottai, Virudhunagar District.

4.The Kalloorani Panchayat
Through its Executive Officer,
Kalloorani, Aruppukottai Taluk,
Virudhunagar 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 first respondent to pass orders on the proposals forwarded by the second respondent in Na.Ka.No.A4/4173/2020 dated 18.01.2021 for grant of patta to the petitioner for the lands in S.No.476/1 (old S.No.137 part), in Kalloorani Village, Aruppukottai Taluk, Virudhunagar District, measuring 0.22.50 sq.m.

For Petitioner	: Mr.VR.Shanmuganathan
For R1 to R3	: Mr.N.Satheesh Kumar Additional Government Pleader
For R4	: Mr.R.Suresh Kumar

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the first respondent/District Revenue Officer, Virudhunagar District, to examine the proposal of the second respondent/Revenue Divisional Officer in Aruppukottai, Virudhunagar District, dated 18.01.2021, in Na.Ka.No.A4/4173/2020, and thereafter, in accordance with the same grant patta for the lands in Survey No.476/1 (old Survey No.137 part) in Kalloorani Village, Aruppukottai Taluk, Virudhunagar District which measures 0.22.50 square metres.

2.In the affidavit filed in support of the Writ Petition, it has been stated that the lands aforesaid were purchased by the



paternal grandfather Sivasankarappa Naicker under a registered sale deed dated, 23.05.1951 registered as Document No.1552/1951.

3.It is claimed that the lands have been in possession and enjoyment of the family of the petitioner herein. When updating was done, namely, UDR survey was undertaken, it is claimed that the lands were categorized as Arasu Puramboke .

4.The petitioner claimed that he had approached the District Collector and the District Revenue Officer, Virudhunagar, on 13.07.2020 and had given a representation to rectify the mistake in the UDR and to issue patta.

5.Originally, the third respondent/Tahsildhar had also made a field inspection and given a report on 20.06.2020. Thereafter, owing to the fact that there were further proceedings, the second respondent/Revenue Divisional Officer had also given a report on 18.01.2021 to the District Revenue Officer. In that particular report, it had been very categorically stated that though patta was sought for the lands measuring 6944 square feet or 645 square meter or 15 cents, the petitioner or the family members of the petitioner are in possession only of 3870 square feet/360 square meter/9 cents alone. The petitioner, therefore, can seek patta only for that 9 cents of land.

6.There are issues with respect to demarcating the said 9 cents of land within the larger area of 15 cents of land. There are also issues with respect to rival claimants of title from not just third parties, but also from the family members of the petitioner himself. Therefore, on the basis of this particular report of the third respondent, before the first respondent enters into any discussion on grant of patta, let the first respondent issue notice to any other person, who might be interested in grant of patta in the said 9 cents of land and thereafter, get a further report from the Tahsildar, record the same and then act further on the basis of the report of the second respondent. The first respondent may complete the entire exercise within a period of sixteen weeks from the date of receipt of a copy of this order.

7.With the above directions, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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.

WEB COPY

To

- 1.The District Revenue Officer,
Virudhunagar District, Virudhunagar.
 - 2.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.
 - 3.The Tahsildar,
Aruppukottai, Virudhunagar District.
- +1 CC to M/s.SPL GP (SR-35633[F] dated 24/11/2021)

W.P (MD) .No.19031 of 2021
22.11.2021

RK(06/12/2021) 3P 5C