



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.20351 of 2021

Thoufiq

... Petitioner

Vs.

1.The District Collector,
O/o.the District Collectorate,
Tirunelveli District.

2.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

3.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

... Respondents

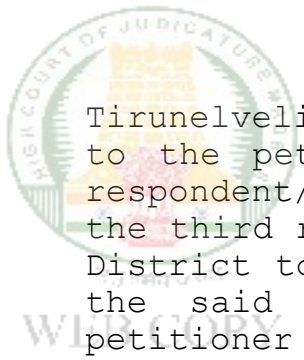
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the second respondent to rectify the errors in the classification of the petitioner's patta land in S.No.511, Keelaveeraragavapuram Village, Palayamkottai Taluk, Tirunelveli District as Sarkar Poramboke and consequently direct the second and third respondents to issue patta in favour of the petitioner in respect of the land measuring about 4.68 cents in S.No.511, Keelaveeraragavapuram Village, Palayamkottai Taluk, Tirunelveli District by considering the representation dated 31.08.2021 preferred by the petitioner within the time that may be stipulated by this Court.

For Petitioner : Ms.Jasima Yasmin
For M/s.Ajmal Associates
For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

Heard Ms.Jasima Yasmin learned counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader who took notice for the respondents.

2. This Writ Petition has been filed in the nature of Mandamus seeking a direction against the second respondent/the District Revenue Officer, Tirunelveli District to rectify the error in the classification of the patta land of the petitioner in Survey No.511, Keelaveeraragavapuram Village, Palayamkottai Taluk,



Tirunelveli District which had been wrongly classified, according to the petitioner, as Sarkar Poramboke and to direct the second respondent/the District Revenue Officer, Tirunelveli District and the third respondent/the Tahsildar, Palayamkottai Taluk, Tirunelveli District to issue patta in favour of the petitioner with respect to the said lands in Survey No.511 measuring 4.68 cents. The petitioner had given a representation on 31.08.2021.

3. Let me not enter into a discussion on the merits of the case primarily because the second respondent/the District Revenue Officer, Tirunelveli District is under an obligation to examine the records and further examine whether the land of the petitioner in Survey No.511, had been wrongly classified as Sarkar Poramboke or not. This has to be done, not only by examining the records of the petitioner but also by examining the revenue records. However, the entire exercise should be done only after affording necessary opportunities to the petitioner herein to be heard, to produce records and to give a representation in writing if required.

4. A direction is given to the second respondent/the District Revenue Officer, Tirunelveli District to pass necessary orders within a period of twelve (12) weeks from the date of receipt of a copy of this order following due procedure and in accordance with principles of natural justice.

5. If it is felt that notice is to be issued, then notice is to be issued to the petitioner and to any other third party and they may also be heard in manner known to law.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

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,
O/o.the District Collectorate,
Tirunelveli District.

<https://hcservices.tn.nic.in/>



2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3.The Tahsildar,
Palayamkottai Taluk, Tirunelveli District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-40152[F] dated
23/12/2021)

**W.P. (MD) .No.20351 of 2021
22.12.2021**

MGJ(05.01.2022) 3P 5C