



W.P.No.39515 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.39515 of 2016
and
W.M.P.No.33799 of 2016

Madurambal @ Madulambal

... Petitioner

VS.

1. The Revenue Divisional Officer,
Mayiladuturai,
Nagapattinam District.
2. The Tahsildar,
Tharangambadi,
Having Office at Porayar – 609 307,
Tharangambadi Taluk,
Nagapattinam District.
3. Saraswathi
4. Jayakumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 more particularly the second respondent to consider the representation of the petitioner dated



W.P.No.39515 of 2016

10.10.2016 and make necessary corrections in revenue records and plan pertains to petitioner's land in Survey number 320/7E in Eduthukattisathanur Village, Tharangambadi Taluk, Nagapattinam District, showing the extent as 65 areas as it stood earlier.

For Petitioner : Mr.M.J.Srinivas

For R1 and R2 : Mr.U.Bharanidharan
Additional Government Pleader

For R3 and R4 : Mr.M.Gnanasekar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents 1 and 2 more particularly the second respondent to consider the representation of the petitioner dated 10.10.2016 and make necessary corrections in revenue records and plan pertains to petitioner's land in Survey number 320/7E in Eduthukattisathanur Village, Tharangambadi Taluk, Nagapattinam District, showing the extent as 65 areas as it stood earlier.

2. It is the case of the petitioner that the petitioner is in possession and enjoyment of the above said ancestral property and patta was issued in favour



W.P.No.39515 of 2016

of the petitioner in the year 1989. While that being so, the respondents 3 and 4 tried to encroach the petitioner's property in the guise of measuring their property and on verification, the petitioner came to know that there was wrong entries in the Revenue Records in respect of the her property. While so, the petitioner made a representation dated 10.10.2016 before the respondents 1 and 2 for rectification of the wrong entries made in the Revenue Records. Since the same was not considered by the respondents 1 and 2, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Learned counsel appearing for the petitioner submitted that the petitioner for the very same dispute, filed a suit in O.S.No.94 of 2016 which is pending on the file of District Munsif Court, Sirkali. However, at the time of arguments, he submitted that the issue involved in the present case pertains to disputed questions of facts and is purely a civil dispute between the petitioner and the private respondents and the same cannot be adjudicated under Article 226 of the Constitution of India. Hence, this Court may permit the petitioner to canvass all his grievances before the competent Civil Court



W.P.No.39515 of 2016

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W.P.No.39515 of 2016

M.DHANDAPANI, J.

RAP

W.P.No.39515 of 2016

22.09.2022