



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.819 of 2022

and

W.M.P. (MD) .No.664 of 2022

Thangadurai

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Kulithalai,
Karur District.

3.The Tahsildar,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.

4.The Sub-Registrar,
Krishnarayapuram,
Karur District.

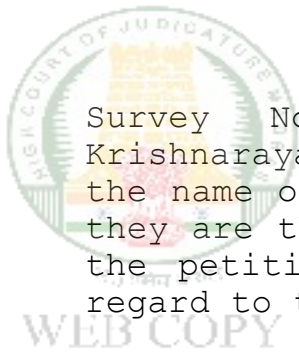
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to state correct extent of 4 acres in Patta No.639 of the petitioner family property being Survey No.1106/1G, situated at Mahadanapuram South Revenue Village, Krishnarayapuram Taluk, Karur District and issued patta in the name of legal heirs of the petitioner deceased father Subbaiyan Chettiar.

For Petitioner	:	Mr.R.Murugappan
For Respondents	:	Mr.D.Ghandiraj, Special Government Pleader.

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the second and third respondents / the Revenue Divisional Officer, Kulithalai, Karur District and the Tahsildar, Krishnarayapuram Taluk, Krishnarayapuram, Karur District, to state the correct extent of 4 acres in Patta No.639 in



Survey No.1106/1G at Mahadanapuram South Revenue Village, Krishnarayapuram Taluk, Karur District and also to issue patta in the name of the petitioner and his brother, sister and mother since they are the legal heirs of deceased Subbaiyan Chettiar / father of the petitioner. The petitioner had given representation in this regard to the third respondent / the Tahsildar on 06.01.2022.

2. Mr.D.Ghandiraj, learned Special Government Pleader, takes notice on behalf of the respondents. He pointed out that particular representation, wherein, it is stated that the relief sought in the representation is totally different and there has been no representation given for grant of patta. But, there was representation given with respect to correcting the area of the land.

3. Be that as it may, since there is a representation on the table of the Tahsildar, it is only appropriate that a direction is issued to the said official to issue notice to the petitioner herein, examine the nature of relief the petitioner wants, issue notice to the brother, sister and mother of the petitioner and to anybody else and also to the adjacent land owners and thereafter, proceed further to either grant the relief or to reject the relief. Either way, necessary orders will have to be passed.

4. It is also seen that the petitioner has filed a miscellaneous petition seeking an interim injunction restraining the fourth respondent / the Sub Registrar, Krishnarayapuram, Karur District from registering any document pursuant to the aforementioned lands, if presented for registration. Naturally, this also indicates that there are some rival claimants or there are some opposition to the grant of patta as sought for by the petitioner. The Tahsildar may therefore make a complete inquiry of all the surrounding circumstances and then, pass necessary orders. The entire exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

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 Collector,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Kulithalai,
Karur District.
- 3.The Tahsildar,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.
- 4.The Sub-Registrar,
Krishnarayapuram,
Karur District.

+1 CC to M/s.SPL.GP (SR-2032[F] dated 21/01/2022)

W.P. (MD) .No.819 of 2022
20.01.2022

MGJ(07.02.2022) 3P 6C